

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 106 MakdaGifts, ETSY Product ID 1720109704**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

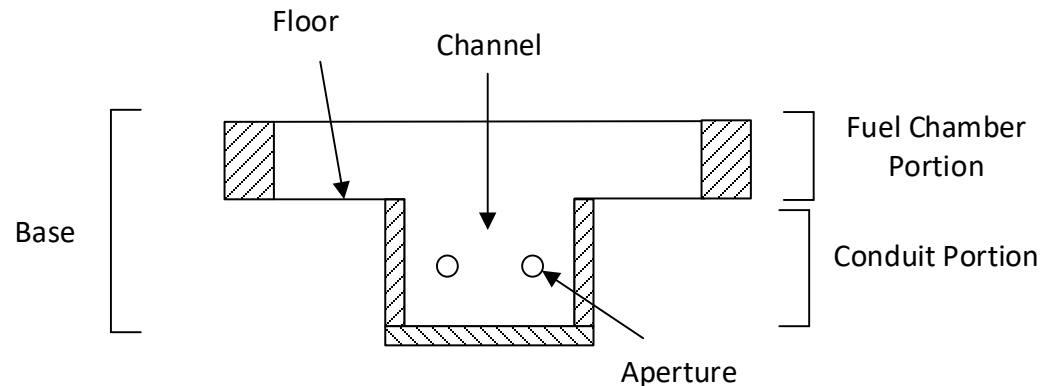
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.


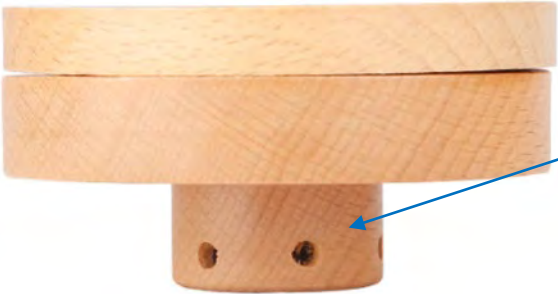


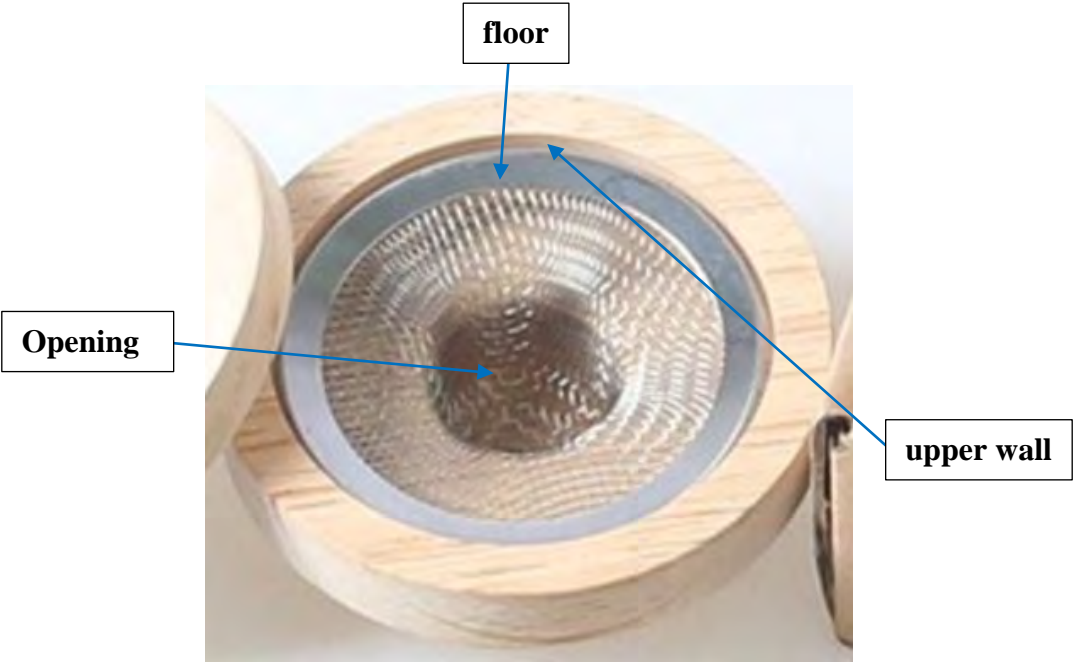
### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Amazon.com sellers page lists a product for sale under ETSY Product ID 1720109704 is a “. . . Cocktail Smoker. . .” which is a device for imparting smoked flavors to beverages and foodstuffs.


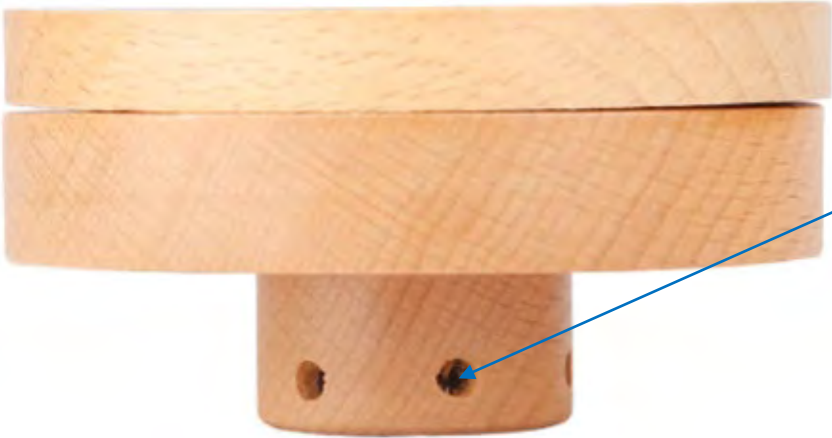


<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> 
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> 

<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	<div data-bbox="598 191 1113 673" data-label="Image"> </div> <div data-bbox="590 690 1058 763" data-label="Caption"> <p>1.Drop one pinch of wood chips in smoker chamber.</p> </div> <div data-bbox="1163 191 1675 673" data-label="Image"> </div> <div data-bbox="1163 690 1680 730" data-label="Caption"> <p>2.Ignite woodchips with kitchen torch.</p> </div>
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="651 873 1470 1347" data-label="Image"> </div>



<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

that extends from the channel space through a wall of the conduit portion



**Place wood chips fuel into chamber**

1.Drop one pinch of wood chips in smoker chamber.



**Ignite the wood chips with a torch and create smoke**

2.Ignite woodchips with kitchen torch.



**Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit**

3.Place top on drink smoker.



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 107 Caretology, ETSY Product ID 1210666722**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

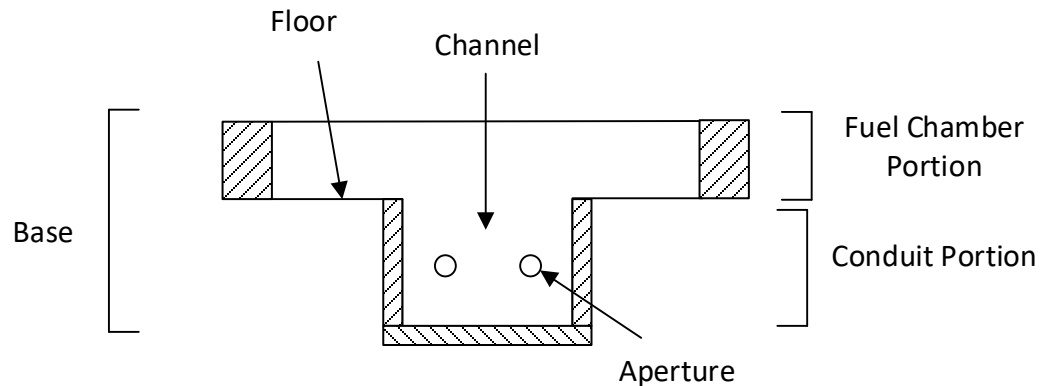
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Amazon.com sellers page lists a product for sale under ETSY Product ID 1210666722 is a “. . . Cocktail Smoker Kit” which is a device for imparting smoked flavors to beverages and foodstuffs.

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Save 15% on your first order! Use code **HAPPY15**  
Ends Jun 28 at 11:59pm ET - apply at checkout. [View terms](#)

**\$26.49**

Speakeasy Whisky Butane Torch Kit to Make a Perfect Cocktail when Paired with a Cocktail Smoker - Perfect Holiday Gift Idea

Caretology ★★★★★

✓ Arrives soon! Get it by Jul 2-10 if you order today

✓ Returns & exchanges accepted

**Add to cart**

**Star Seller.** This seller consistently earned 5-star reviews, shipped on time, and replied quickly to any messages they received.

**Item details**

Handmade

Use this butane torch kit to smoke a perfect cocktail.

[Pair yours with the Speakeasy Whisky Cocktail](#)

[Learn more about this item](#)

**Shipping and return policies**

Order today to get by Jul 2-10

[Returns & exchanges accepted](#) within 30 days

Free shipping

Ships from: Pleasanton, CA

814 reviews ★★★★★

Reviews for this item 4
Reviews for this shop 814

★★★★★



Gave as a gift, he was a huge fan!

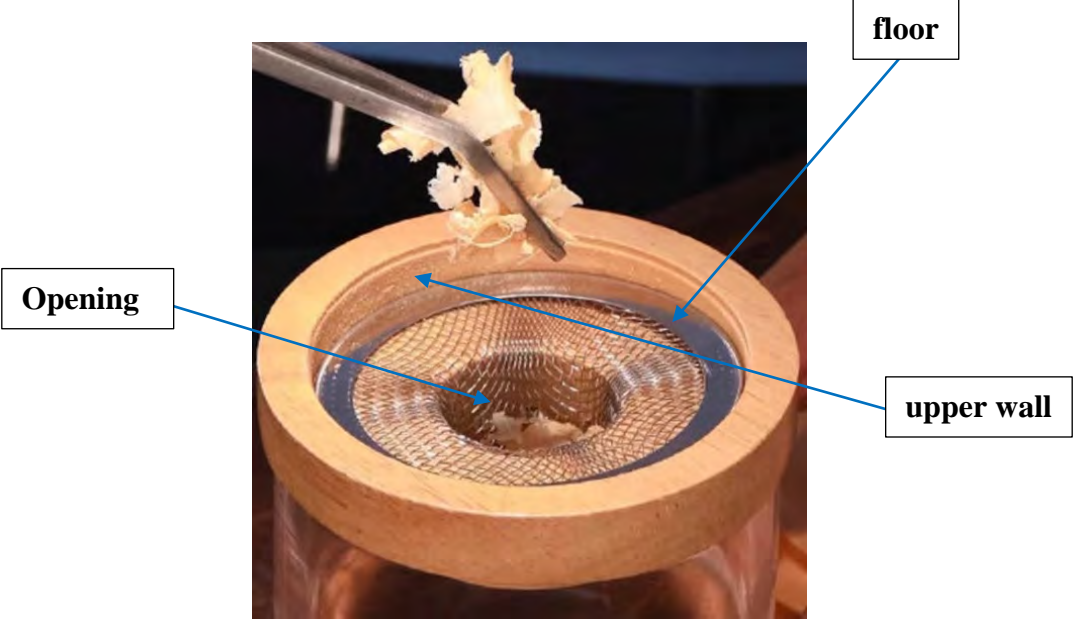
Purchased item: [Speakeasy Whisky Butane Torch Kit to Make a Perfect Co...](#)

[Isaac Shy](#) Dec 9, 2023

Sort by: Suggested ▼

Item quality 5 ★
Shipping 5 ★

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p>  <p><b>fuel chamber portion</b></p> <p><b>base</b></p>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p>  <p><b>conduit portion</b></p>

<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



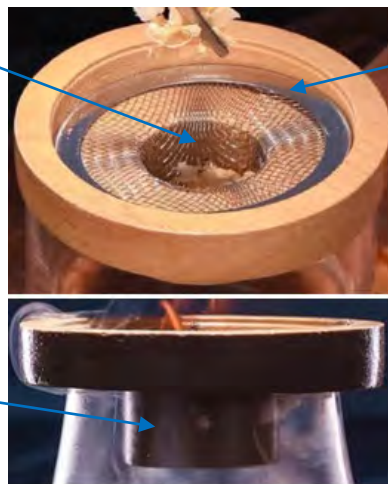
wherein the conduit portion is disposed below the floor

The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.

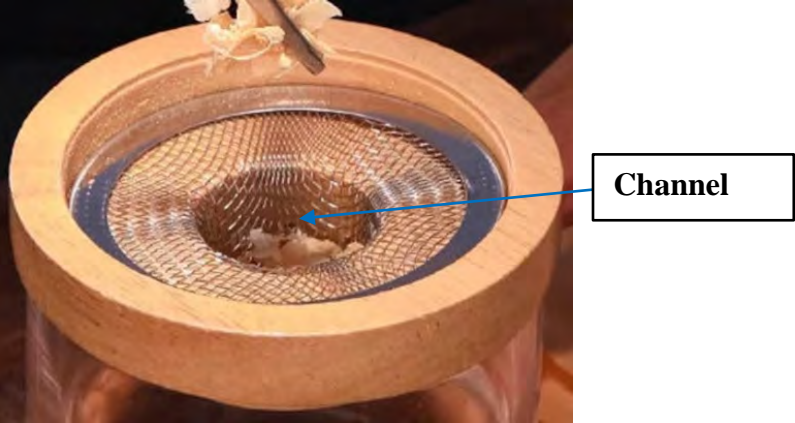

**fuel chamber**

**floor**

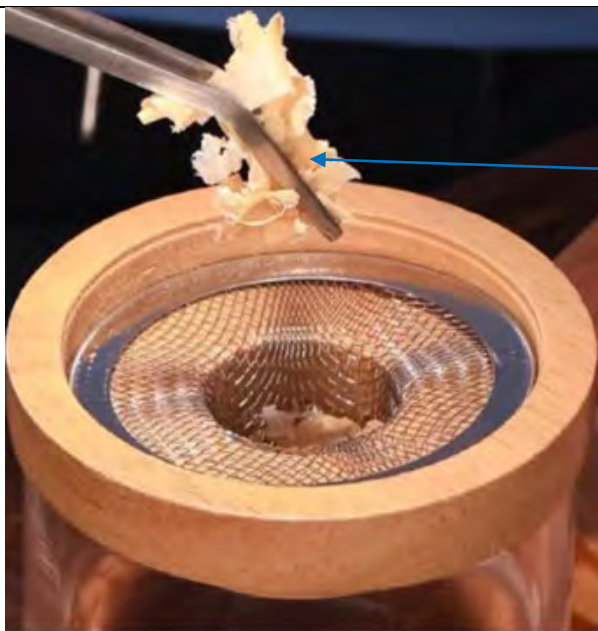
**Conduit  
portion  
below floor  
of  
fuel chamber**





<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

that  
extends  
from the  
channel  
space  
through a  
wall of the  
conduit  
portion



**Place wood chips  
fuel into chamber**

**Ignite the wood  
chips with a torch  
and create smoke**



**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 108 BluelineLaserWorksUS, ETSY Product ID 1241347816**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

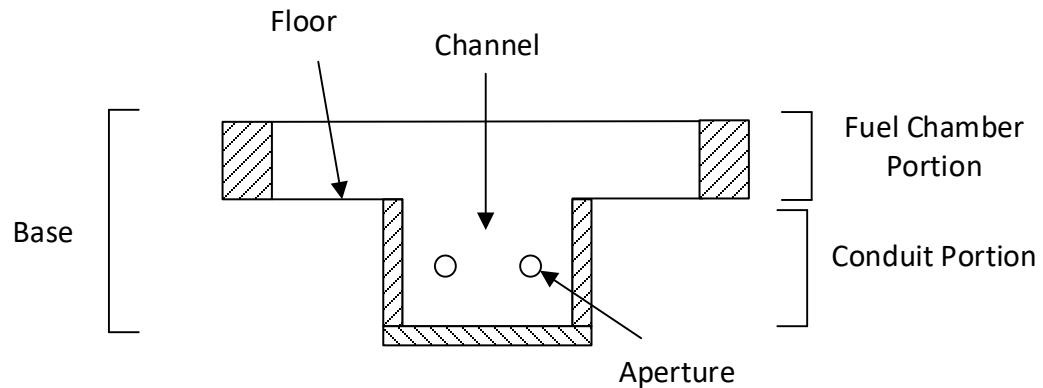
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

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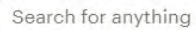
<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



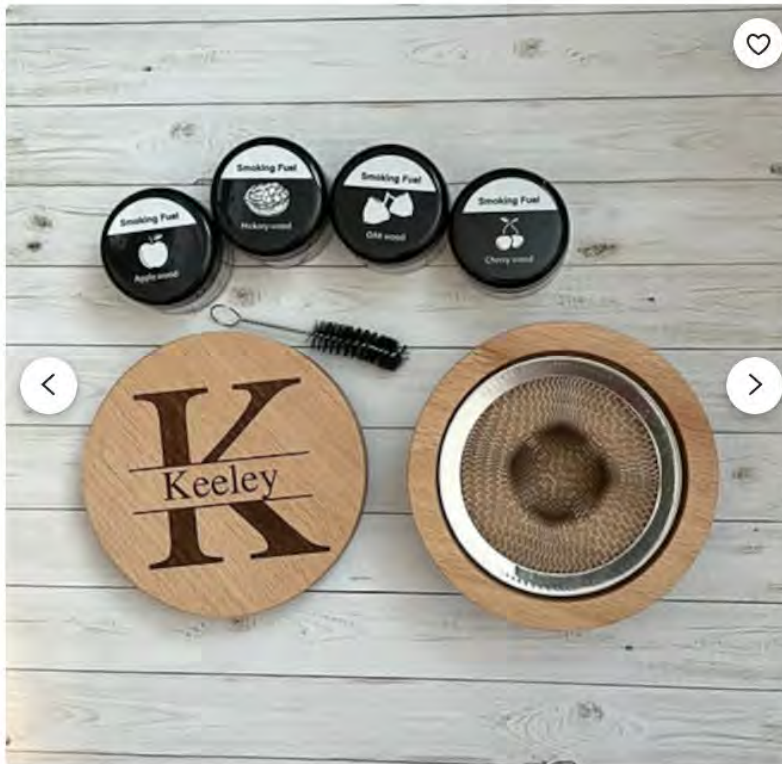
### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Amazon.com sellers page lists a product for sale under 1241347816 is a “Cocktail Smoker Set . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



## Gift Cards




Save 15% on your first order! Use code **HAPPY15**  
Ends Jun 28 at 11:59pm ET - apply at checkout. [View terms](#)

BluelineLaserWorksUS ★★★★★

Select an option

Add to cart


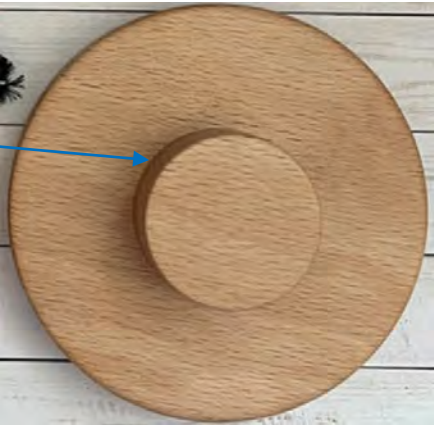
 Materials: Wood

[Learn more about this item](#)


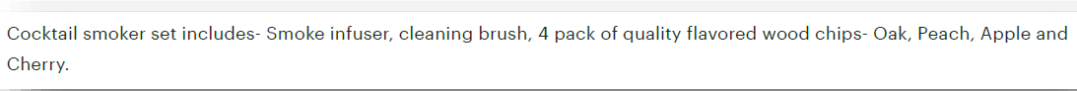
### Shipping and return policies

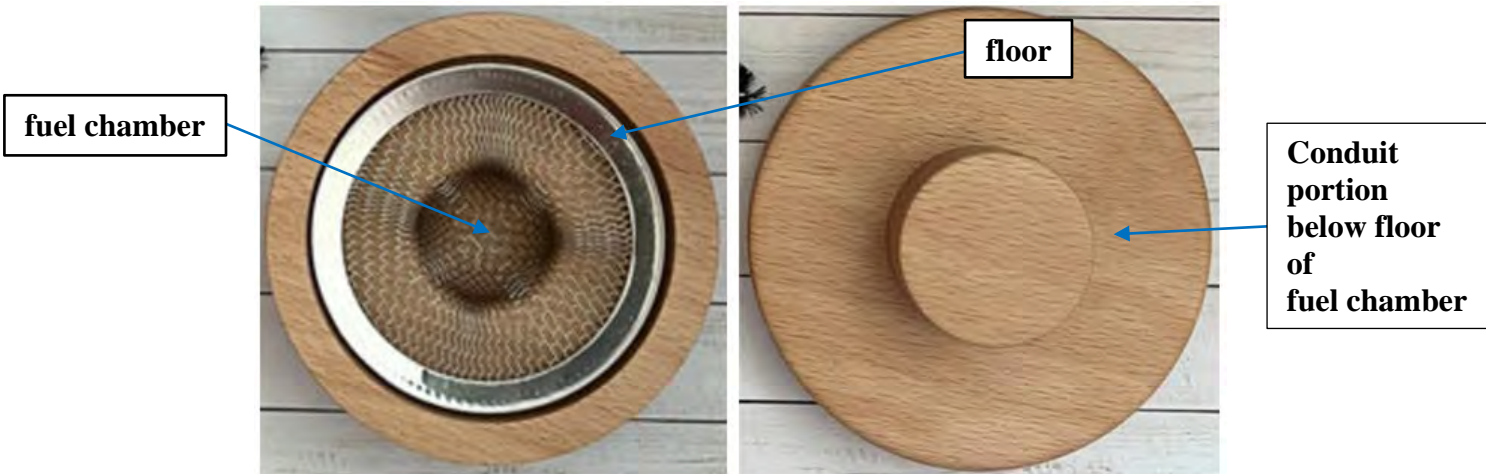
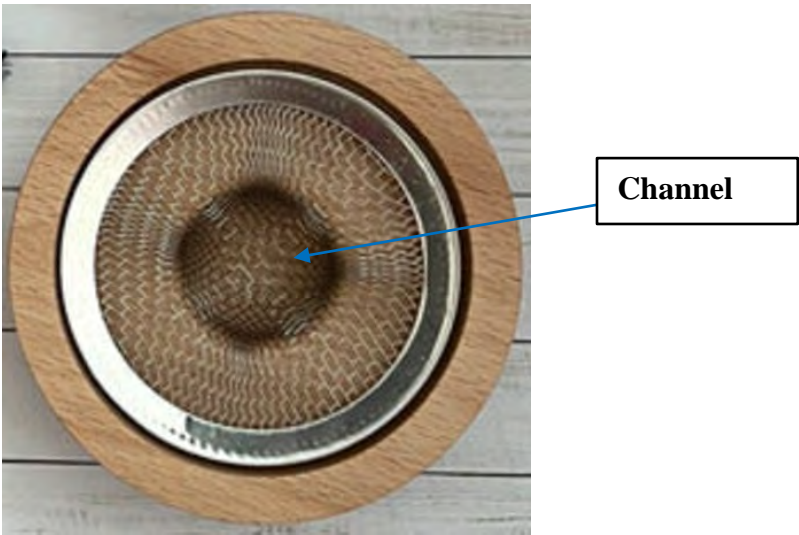
Reviews for this shop 412



<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="415 264 1801 735"><p><b>fuel chamber portion</b></p><p><b>base</b></p></div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="606 888 1354 1310"><p><b>conduit portion</b></p></div>

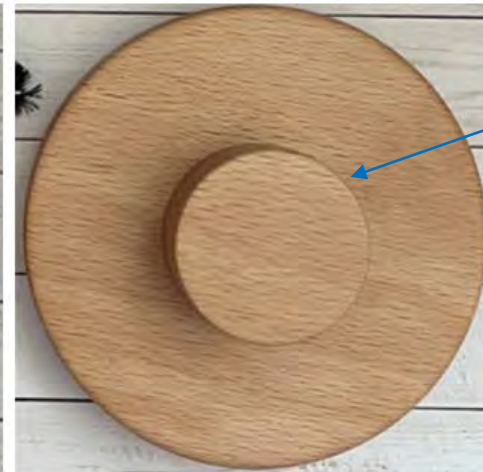


<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p> 

<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="407 264 1885 735">  </div>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> <div data-bbox="390 850 1184 1382">  </div>

so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion

The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:



**Aperture**

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.

Cocktail Smoker Set - whiskey smoker, personalized cocktail, smoked Burbon

BluelineLaserWorksUS

★★★★★

Engraving

Select an option

Add your personalization (optional)

Buy it now

Add to cart

♥ Add to collection

**Item details**

- Handmade
- Materials: Wood

This cocktail smoker will be the perfect gift for that whiskey lover, or for yourself! Complete the kit by personalizing the smoke infuser.

Cocktail smoker set includes- Smoke infuser, cleaning brush, 4 pack of quality flavored wood chips- Oak, Peach, Apple and Cherry.

**Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit**

**Ignite the wood chips with a torch and create smoke**

**Place wood chips fuel into chamber**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 109 TrendJockey, ETSY Product ID 1651662607**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

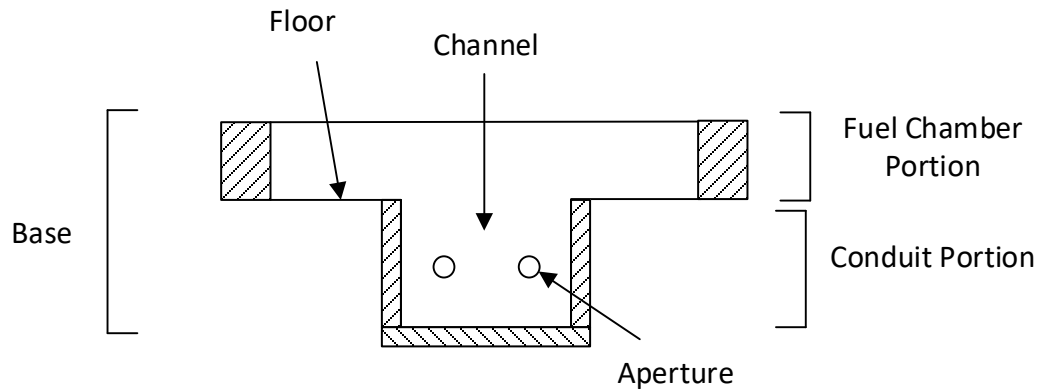
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.





### Claim 1


A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1651662607 is a “. . . Cocktail Smoker Kit . . . Cocktail Smoker. . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

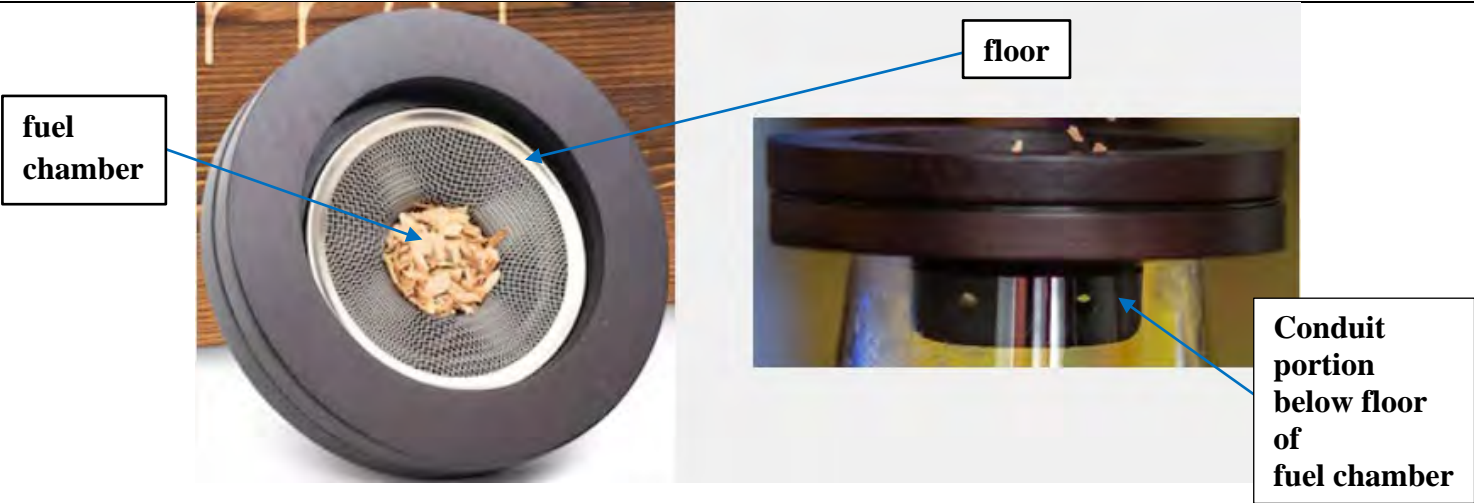
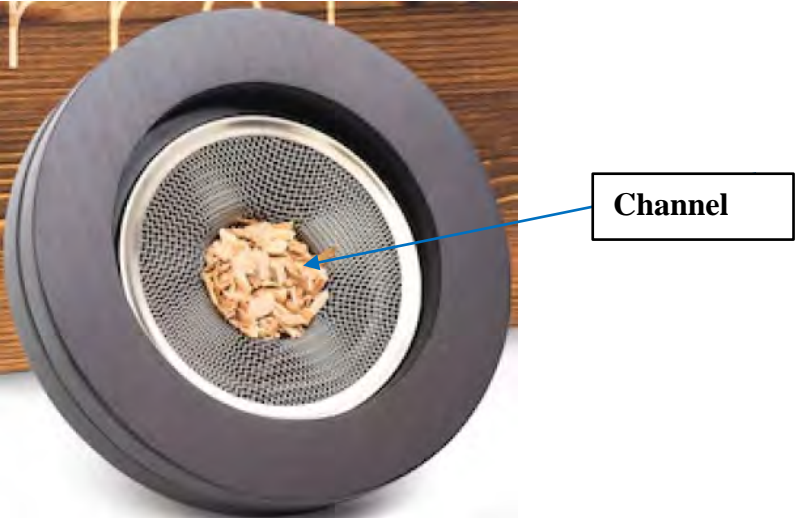



	<div data-bbox="415 224 1837 974"> <p>50% off</p> <p><b>Sale ends on June 30</b></p> <p>Toasted Barrel New Cocktail Smoker Kit, Old Fashion Cocktail Smoker, Unique Barrel Shape Design, Sophisticated Gift Set for Him or Her</p> <p>TrendJockey</p> <p>✓</p> <p>Arrives soon! Get it by <u>Jun 20-26</u> if you order today</p> <p>✓</p> <p>Returns &amp; exchanges accepted</p> <p>Add your personalization (optional)</p> <p>Buy it now</p> <p>Add to cart</p> <p>♥ Add to collection</p> <p><b>Item details</b></p> <ul style="list-style-type: none"> <li>•  Handmade</li> <li>•  Materials: Metal, wood</li> </ul> </div>
<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p>

	<div data-bbox="527 297 701 451" data-label="Text"> <p><b>fuel chamber portion</b></p> </div> <div data-bbox="806 191 1499 670" data-label="Image"> </div> <div data-bbox="1614 456 1713 516" data-label="Text"> <p><b>base</b></p> </div>
a conduit portion at its lower end,	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="611 927 858 987" data-label="Text"> <p><b>conduit portion</b></p> </div> <div data-bbox="869 815 1428 1068" data-label="Image"> </div>
the fuel chamber portion comprising an upper wall portion defining a	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	 <div data-bbox="554 873 953 1081"> <p><b>STEP 1</b></p> <p>ADD 2 SCOOPS OF DESIRED SMOKING CHIPS INTO SMOKER</p> </div> <div data-bbox="974 873 1373 1081"> <p><b>STEP 2</b></p> <p>TORCH CHIPS TO CREATE SMOKE AND COVER</p> </div> <div data-bbox="1394 873 1755 1081"> <p><b>STEP 3</b></p> <p>WAIT 30 SEC AND REMOVE SMOKER FROM THE GLASS</p> </div>
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>

	
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> 
<p>so that, when the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>

<p>fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion</p>	<div data-bbox="445 483 617 552"> <p><b>Aperture</b></p> </div>  <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>
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Place wood chips  
fuel into chamber

Ignite the wood  
chips with a torch  
and create smoke

Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 110 BYouByTalitha, ETSY Product ID 1326620798**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

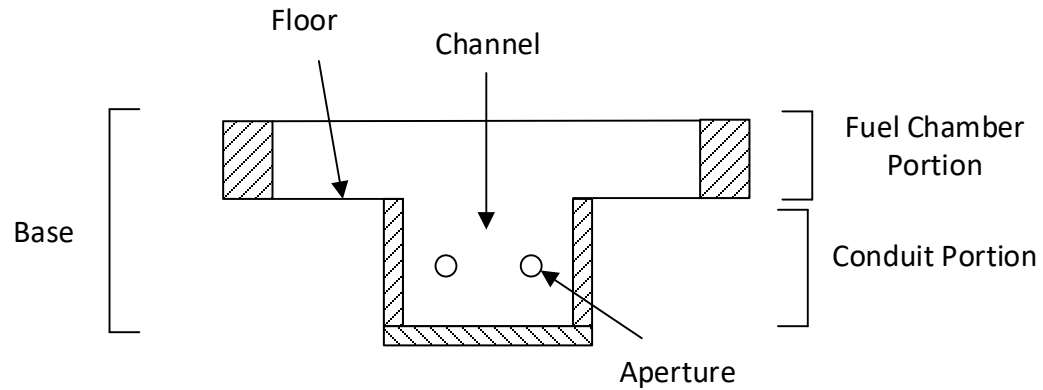
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

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<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1326620798 is a “. . . cocktail smoker set. . .” which is a device for imparting smoked flavors to beverages and foodstuffs.




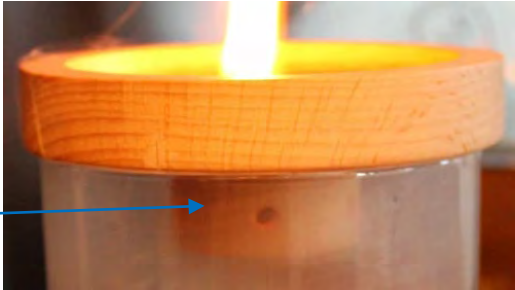
 Report this item to Etsy

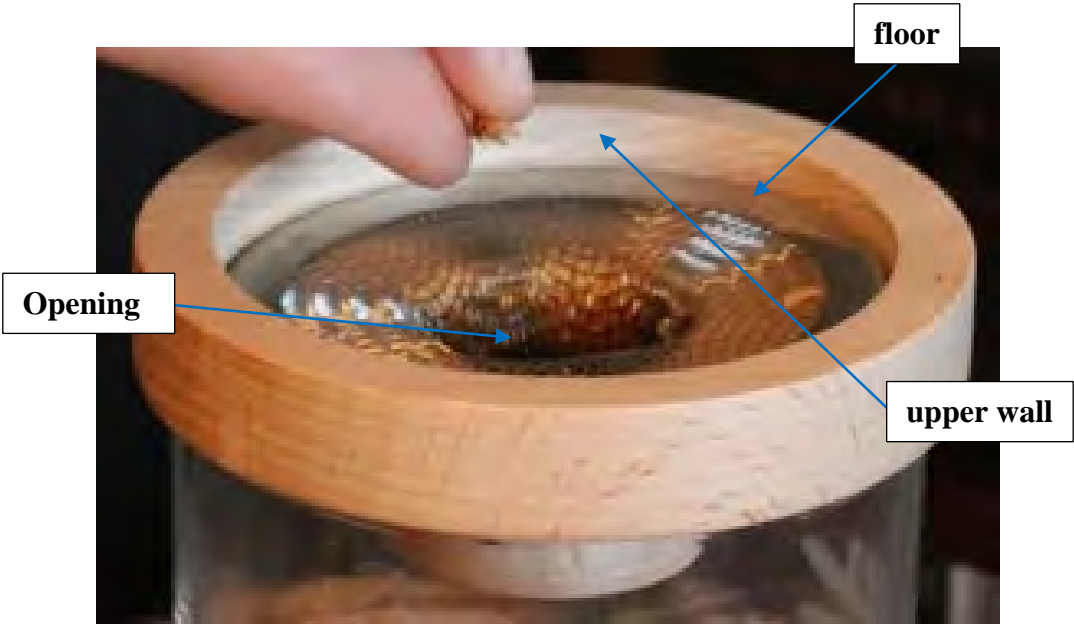
**\$35.00+**

Personalized [cocktail smoker set](#) | Infused drink kit | Custom whiskey gift | Smoked old fashioned

BYouByTalitha

★★★★★

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="394 310 1791 781"> <div data-bbox="394 310 569 464"> <b>fuel chamber portion</b> </div> <div data-bbox="747 305 1575 781">  </div> <div data-bbox="1690 496 1791 557"> <b>base</b> </div> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="604 927 1411 1214"> <div data-bbox="604 1110 856 1170"> <b>conduit portion</b> </div> <div data-bbox="900 927 1411 1214">  </div> </div>
<p>the fuel chamber portion comprising</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>





wherein the conduit portion is disposed below the floor

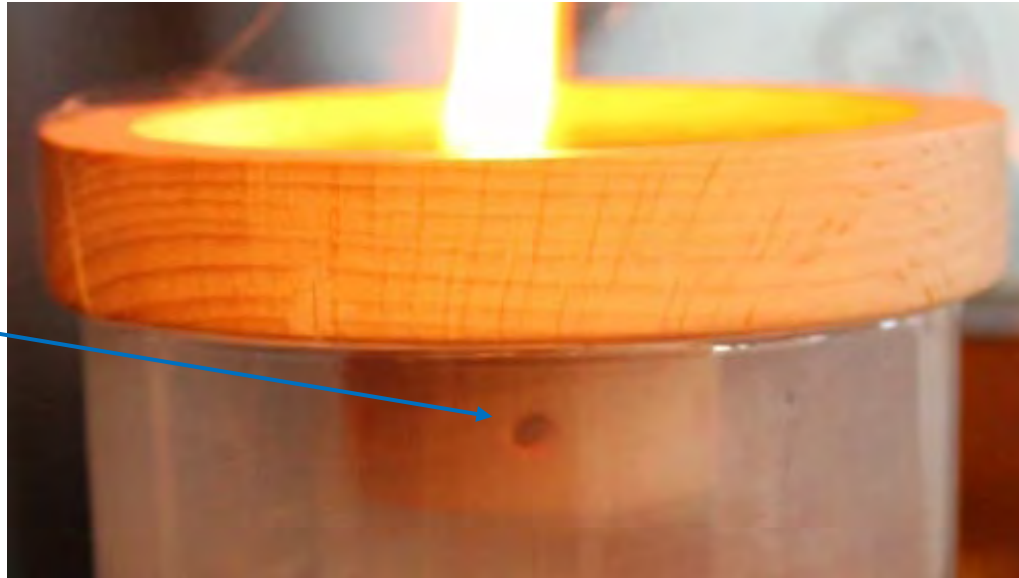
The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.

	<div data-bbox="409 284 575 394" data-label="Text"> <p><b>fuel chamber</b></p> </div> <div data-bbox="709 191 1612 764" data-label="Image"> </div> <div data-bbox="1648 248 1757 306" data-label="Text"> <p><b>floor</b></p> </div> <div data-bbox="1656 487 1875 690" data-label="Text"> <p><b>Conduit portion below floor of fuel chamber</b></p> </div>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> <div data-bbox="766 875 1547 1373" data-label="Image"> </div> <div data-bbox="1465 1036 1665 1102" data-label="Text"> <p><b>Channel</b></p> </div>

so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion

The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:

**Aperture**



The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.



**Place wood chips  
fuel into chamber**

**Ignite the wood  
chips with a torch  
and create smoke**

**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 111 SLichStore, ETSY Product ID 1555165590**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

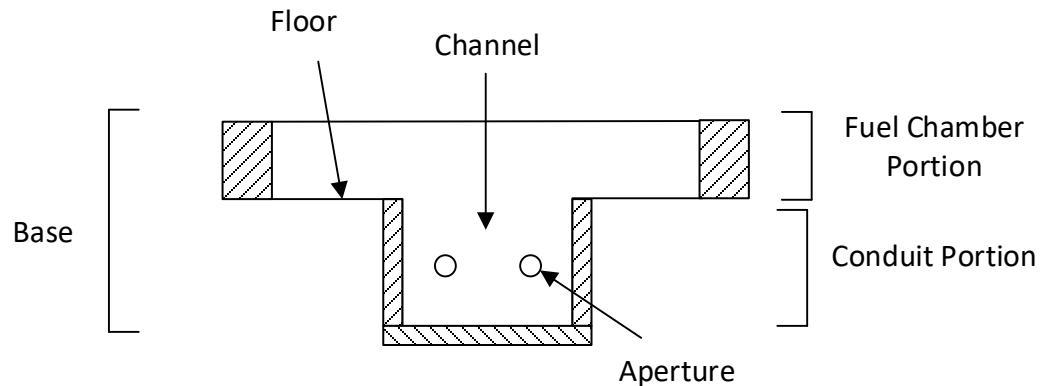
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1555165590 is a “Cocktail & Whiskey Smoker Kit” which is a device for imparting smoked flavors to beverages and foodstuffs.



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\$70.00

30% off

Sale ends in 23:06:46

New markdown! Biggest sale in 60+ days

Wooden Cocktail & Whiskey Smoker Kit, Wood Chips, Butane Torch, Ice Stones, Smoker as Surprise Gift

SLichStore ★★★★★

✓ Returns & exchanges accepted

Choose Color Of The Torch ★

Select an option

Add to cart

Report this item to Etsy

114 reviews ★★★★★

Reviews for this item 6

Reviews for this shop 114

★★★★★

Quality product, arrived as per estimated delivery time, packaged well and exactly as advertised

Shannon Aldous Jun 26, 2024

Sort by: Suggested



✓ Recommends this item


Item quality 5 ★

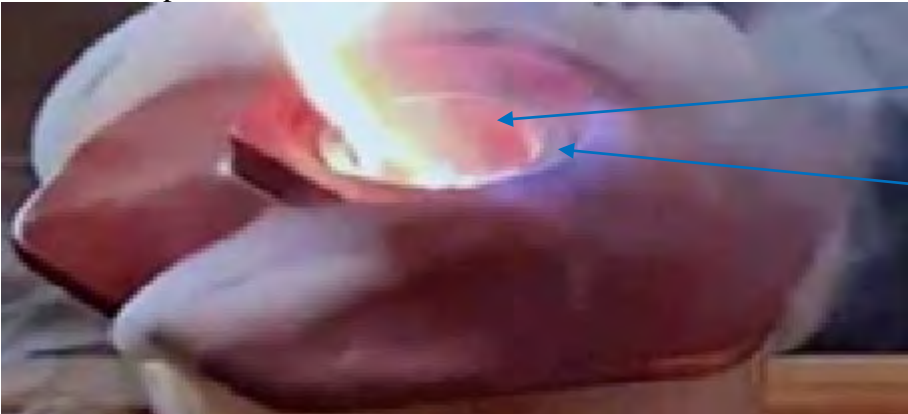
Shipping 5 ★

Learn more about this item

3

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="772 261 1871 912">  <div data-bbox="1633 367 1871 467"> <p><b>fuel chamber portion</b></p> </div> <div data-bbox="1633 578 1738 639"> <p><b>base</b></p> </div> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="970 1058 1728 1360">  <div data-bbox="1478 1190 1728 1252"> <p><b>conduit portion</b></p> </div> </div>

<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	<div><p>How to use</p><ul style="list-style-type: none"><li>- Choose the flavor you like and put the wood chips in the smoker</li><li>- Use a butane torch to ingate wood chips</li><li>- Place top on drink smoker</li><li>- Wait 10-30 seconds for smoker</li></ul></div>
wherein the conduit portion is disposed below the floor	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>  <p><b>fuel chamber</b></p> <p><b>floor</b></p>

	<div data-bbox="871 191 1409 670" data-label="Image"> </div> <div data-bbox="1507 415 1726 620" data-label="Text"> <p><b>Conduit portion below floor of fuel chamber</b></p> </div>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> <div data-bbox="390 781 1295 1196" data-label="Image"> </div> <div data-bbox="1352 904 1554 972" data-label="Text"> <p><b>Channel</b></p> </div>
<p>so that, when the fuel in the fuel chamber</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>

portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion



**Aperture**

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.



## How to use

- Choose the flavor you like and put the wood chips in the smoker
- Use a butane torch to ignite wood chips
- Place top on drink smoker
- Wait 10-30 seconds for smoker

**Place wood chips  
fuel into chamber**



**Ignite the wood  
chips with a torch  
and create smoke**



**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 112 HireathCo, ETSY Product ID 1546887238**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

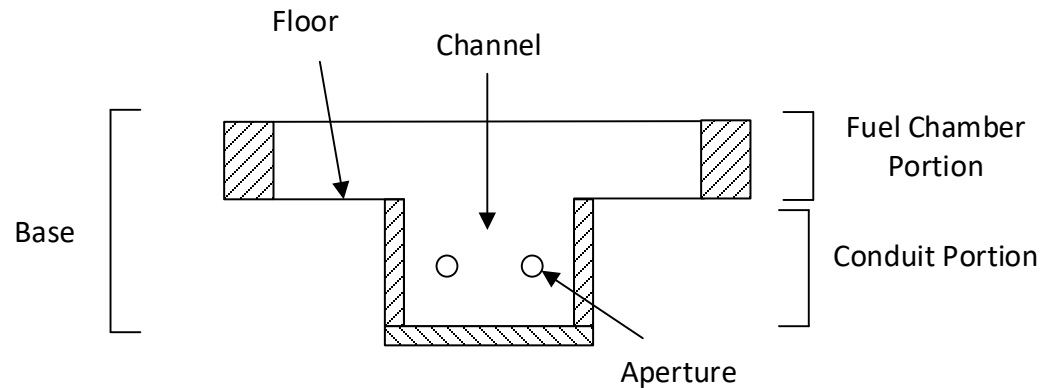
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.

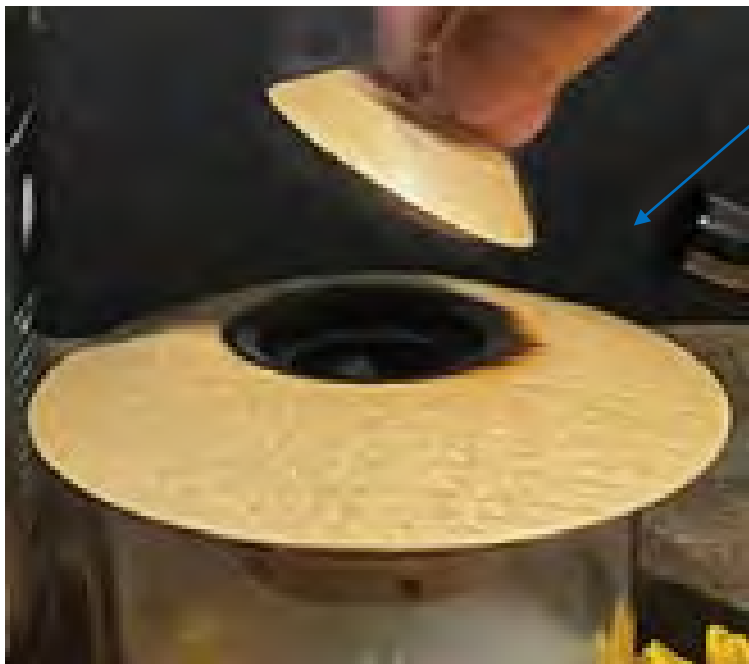
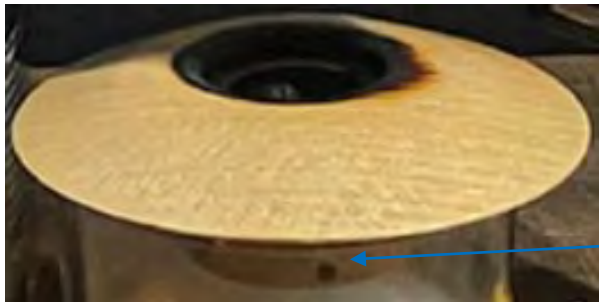


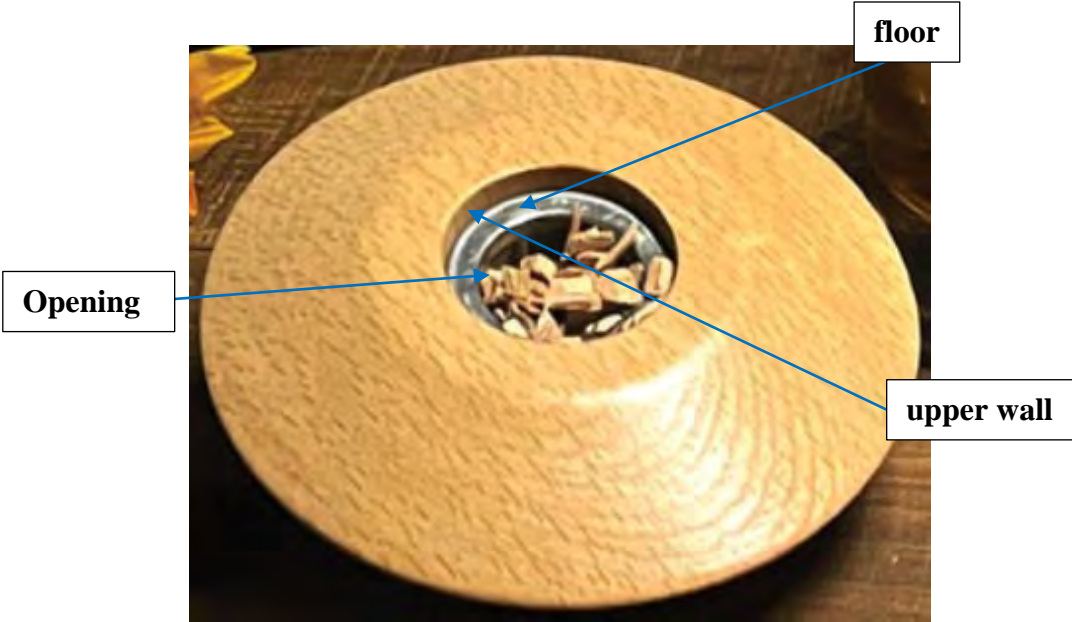
**Claim 1**

A device for imparting smoked flavors to beverages and foodstuffs, comprising:



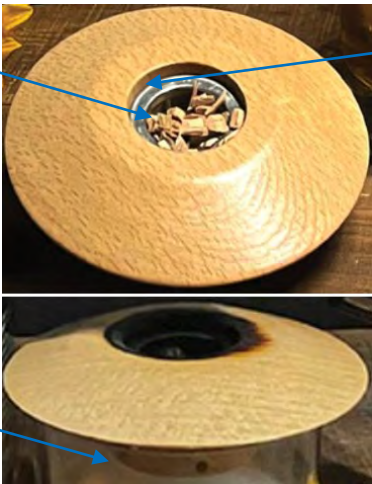
The Eytsy.com sellers page lists a product for sale under Product ID 1546887238 is a “Cocktail Smoker Kit . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.





<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="795 259 1871 919">  <div data-bbox="1629 256 1871 358" data-label="Text"> <p><b>fuel chamber portion</b></p> </div> <div data-bbox="1608 664 1707 727" data-label="Text"> <p><b>base</b></p> </div> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="869 1065 1736 1365">  <div data-bbox="1484 1265 1736 1328" data-label="Text"> <p><b>conduit portion</b></p> </div> </div>

<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



	<div data-bbox="499 190 1171 764">  <p>1. Add wood chips</p> </div> <div data-bbox="1184 190 1837 764">  <p>2. Ignite the wood chips to generate enough smoke</p> </div>
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="653 873 1474 1354">  <div data-bbox="697 891 919 954">fuel chamber</div> <div data-bbox="1367 891 1474 954">floor</div> <div data-bbox="653 1125 875 1333">Conduit portion below floor of fuel chamber</div> </div>

<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> 
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

from the  
channel  
space  
through a  
wall of the  
conduit  
portion



Place wood chips  
fuel into chamber



Ignite the wood  
chips with a torch  
and create smoke



Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 113 IndigoNightStudio, Seller ID ETSY Product ID 1422095651**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

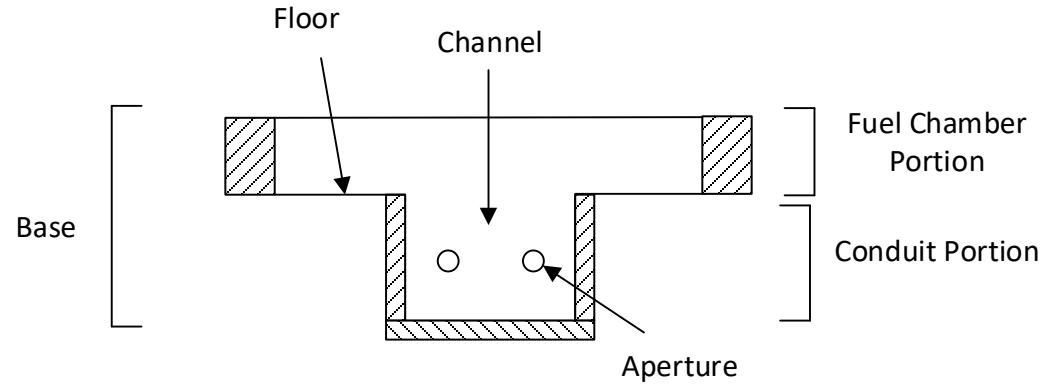
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1


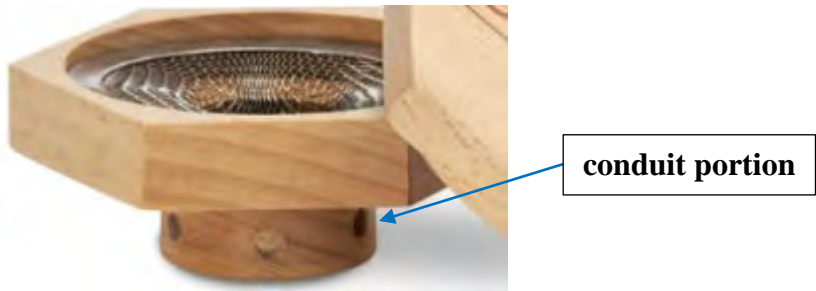
A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1422095651 is a “Cocktail Smoker Kit . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.


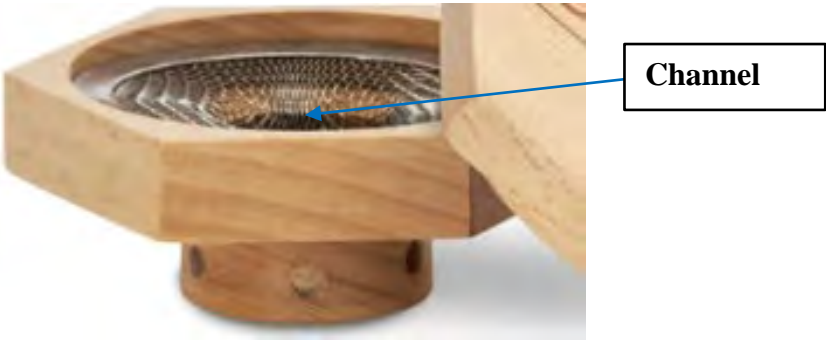






<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> 
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> 
<p>the fuel chamber portion comprising an upper wall portion defining a</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>  <p>The diagram shows a cross-section of a wooden Cocktail Smoker. A metal mesh floor is at the top of the fuel chamber. Below the floor, a conduit portion is visible, which is a cylindrical structure with a central channel. Labels with arrows point to the 'fuel chamber', 'floor', and 'Conduit portion below floor of fuel chamber'.</p>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p>This diagram is a closer view of the conduit portion of the Cocktail Smoker. It shows a central channel running through the conduit. A label 'Channel' with an arrow points to this central channel.</p>
<p>so that, when the fuel in the fuel</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>

chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion



**Aperture**

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.



**Place wood chips  
fuel into chamber**



**Ignite the wood  
chips with a torch  
and create smoke**



**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 114 FitandForge, ETSY Product ID 1555264687**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

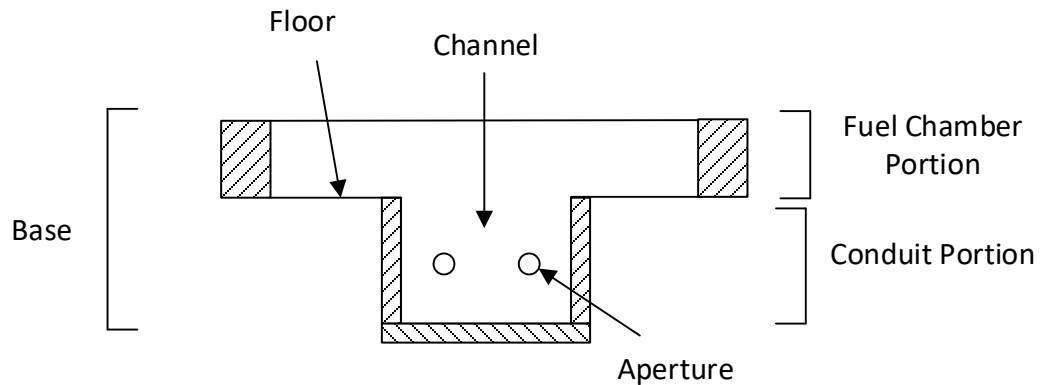
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1555264687 is a “. . . Smoker Whiskey Kit Smoker. . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



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Item details ^

- Handmade
- Materials: Metal, wood

Elevate Your Whiskey Experience with Our Custom Laser Engraved Whiskey Smoker Kit

*Indulge in the art of savoring whiskey with name*

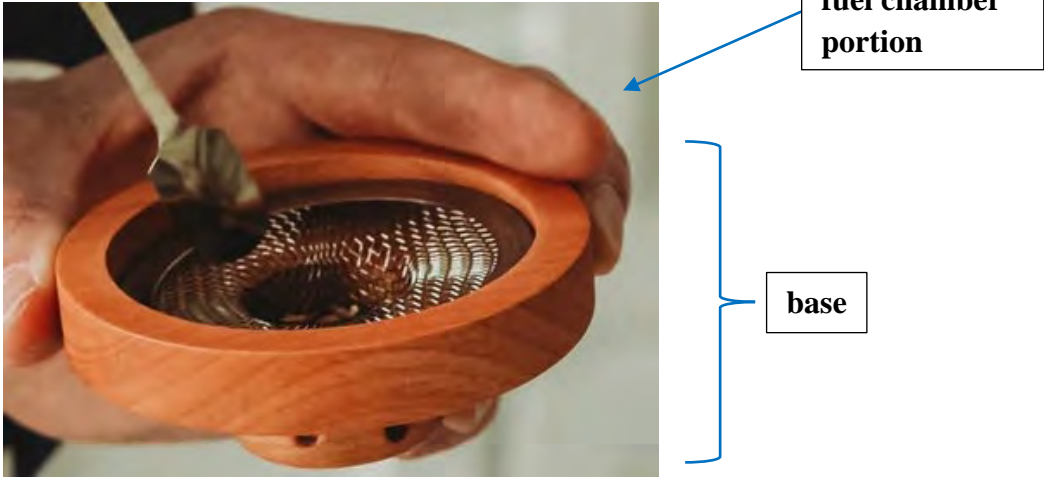
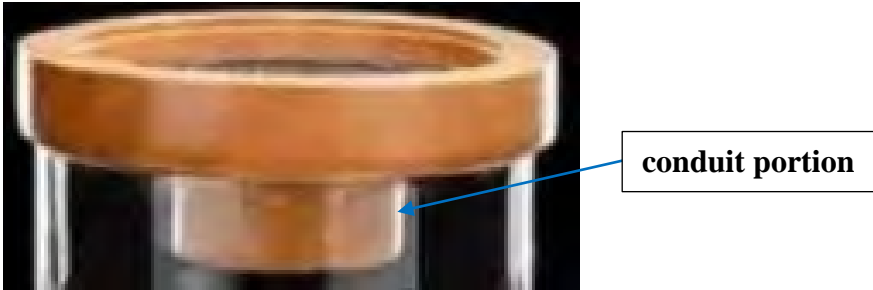
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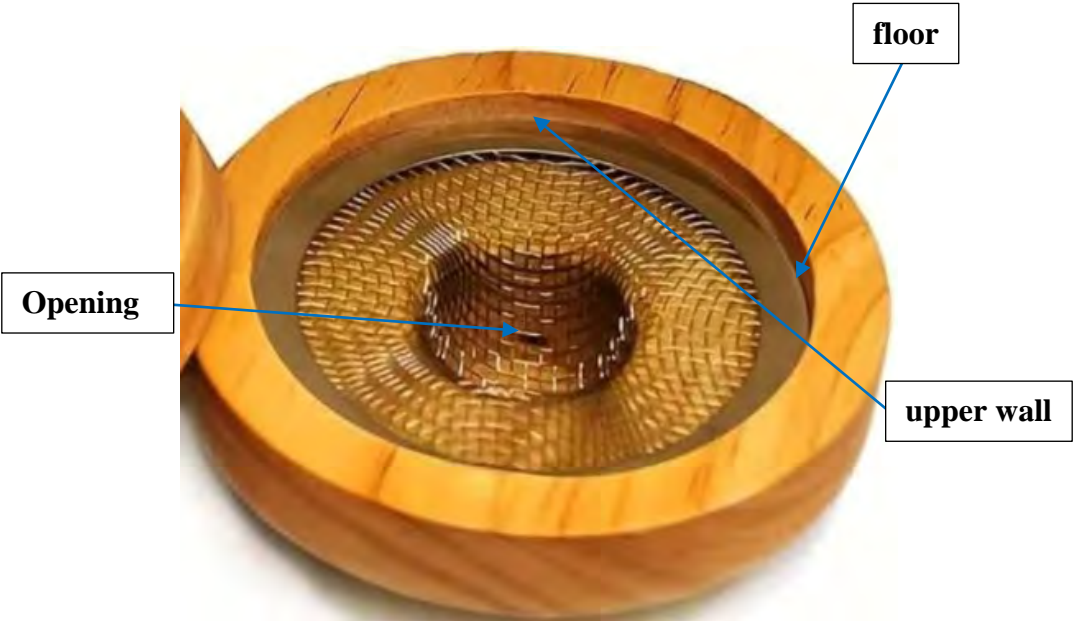
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- Order today to get by **Jul 3-9**
- Returns & exchanges not accepted
- Cost to ship: \$5.45
- Ships from: Leander, TX

MADE TO ORDER ♦ ♦ ♦ FAST SHIPPING

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<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> 
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> 
<p>the fuel chamber portion comprising an upper wall</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

## HOW TO SMOKE YOUR DRINK:



1. Drop one pinch of wood chips in smoker chamber



2. Ignite woodchips with torch

wherein the conduit portion is disposed below the floor



The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.

**fuel chamber**

**floor**

**Conduit portion below floor of fuel chamber**



<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>



channel  
space  
through a  
wall of the  
conduit  
portion



1. Drop one pinch of wood chips in smoker chamber

Place wood chips  
fuel into chamber



2. Ignite woodchips with torch

Ignite the wood  
chips with a torch  
and create smoke



3. Place top on drink smoker

Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 116 MijMojDesign, ETSY Product ID 1574427777**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

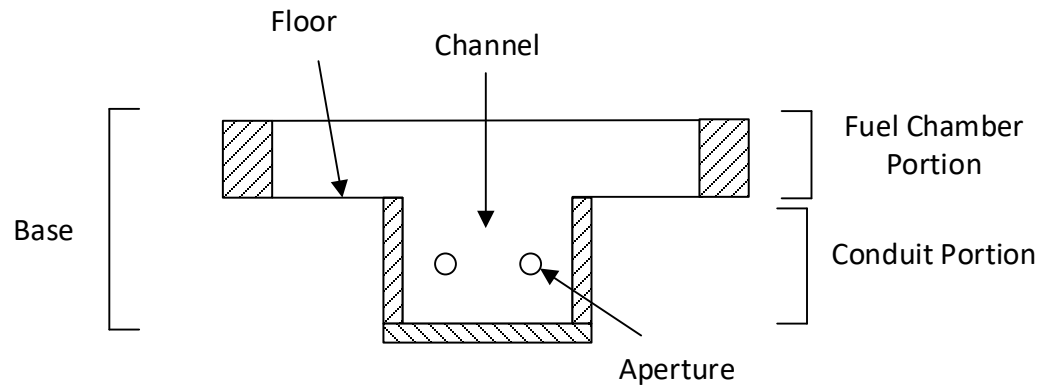
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1574427777 is a “. . . Cocktail And Whiskey Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

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**\$36.93+** ~~\$46.17+~~ 20% off

Sale ends on July 21

Personalised **Cocktail And Whiskey Smoker** In Solid Oak

MijMojDesign ★★★★★

✓ Arrives soon! Get it by Jul 6:11 if you order today

Engraved Message on Lid ★

Select an option

Additional Bag of Oak Shavings (10x9cm) ★

Select an option

Add your personalization (optional) ▼

**Add to cart**

**Star Seller.** This seller consistently earned 5-star reviews, shipped on time, and replied quickly to any messages they received.

**Item details** ^

Handmade

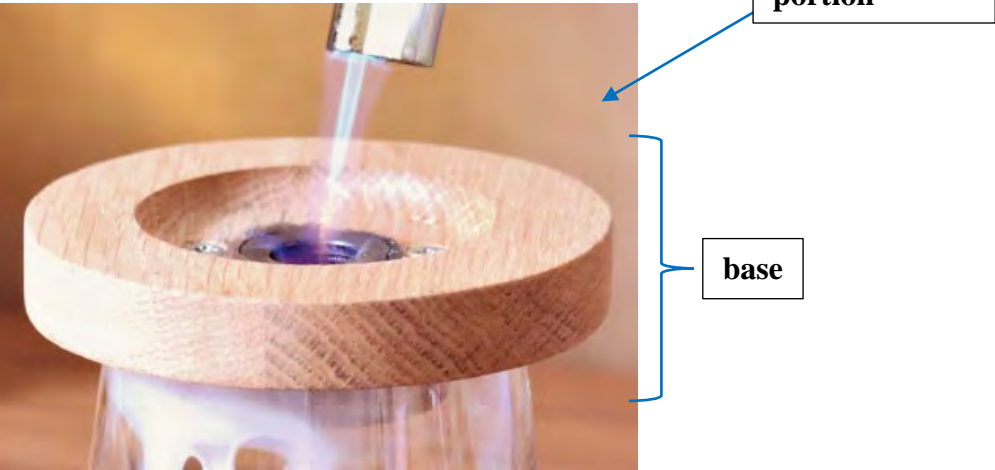

Materials: Metal, wood

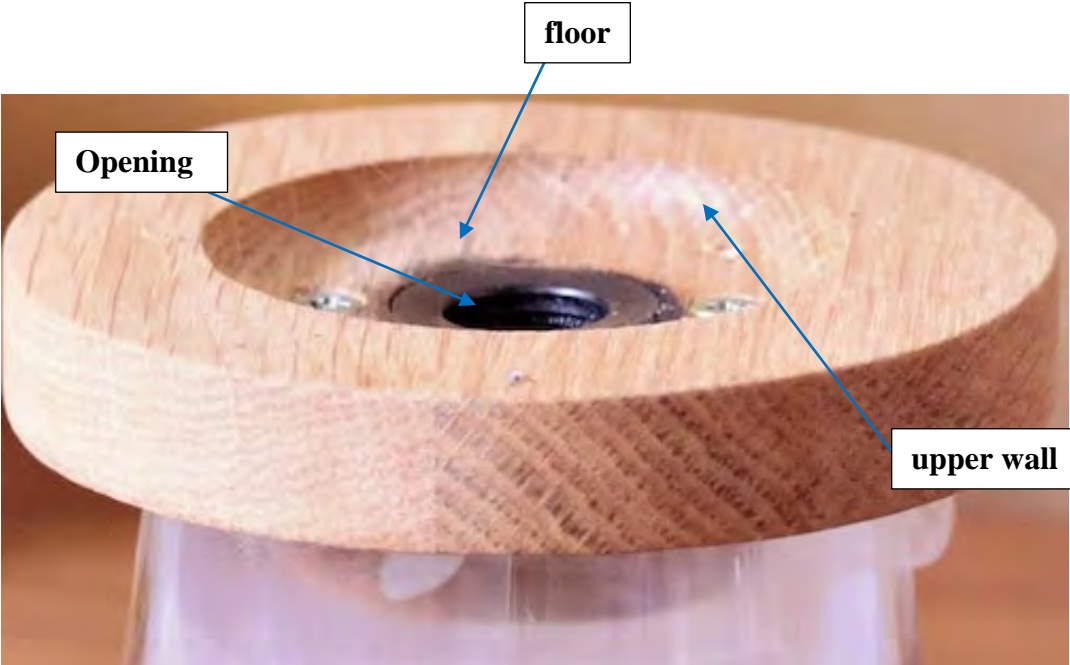
Gift wrapping available [See details](#)


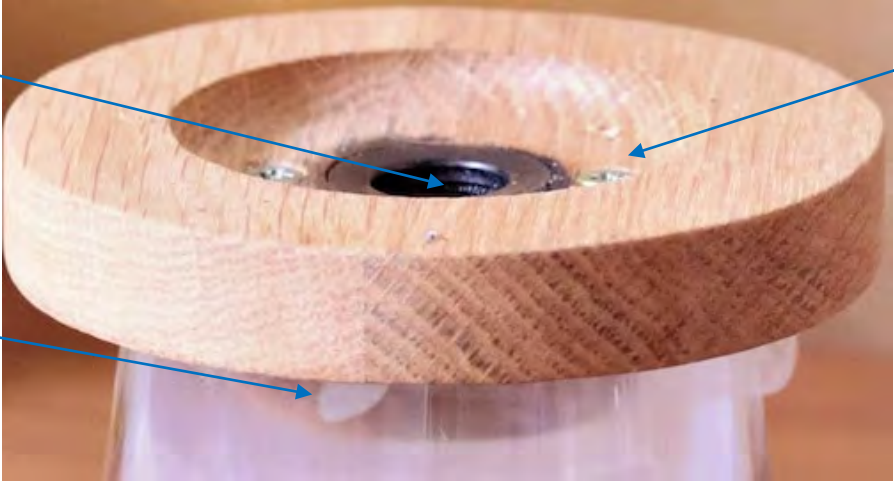
8,900 reviews ★★★★★

Reviews for this item 19    Reviews for this shop 8,900

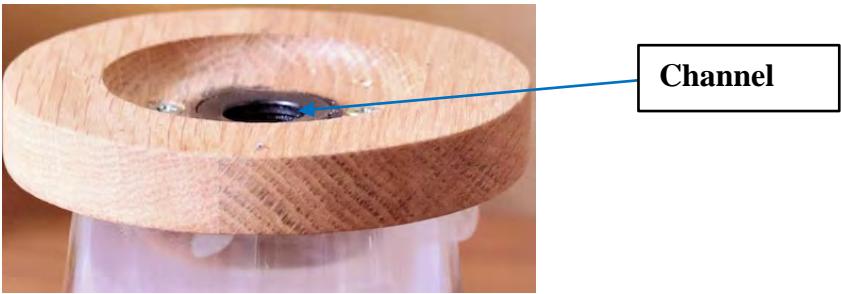
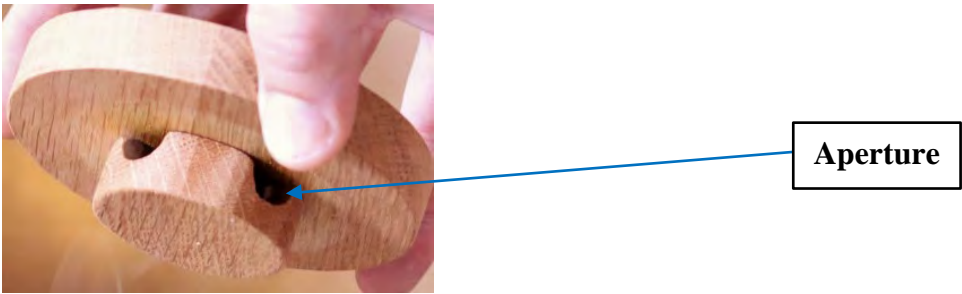
[Report this item to Etsy](#)

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> 
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> 
<p>the fuel chamber portion comprising</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="436 857 1766 1336">  <div data-bbox="436 894 661 959">fuel chamber</div> <div data-bbox="1654 867 1766 927">floor</div> <div data-bbox="436 1084 661 1291">Conduit portion below floor of fuel chamber</div> </div>



<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> 
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>



channel  
space  
through a  
wall of the  
conduit  
portion



**Place wood chips  
fuel into chamber**

**Ignite the wood  
chips with a torch  
and create smoke**

**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 117 321CustomCreations, ETSY Product ID 1231061198**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

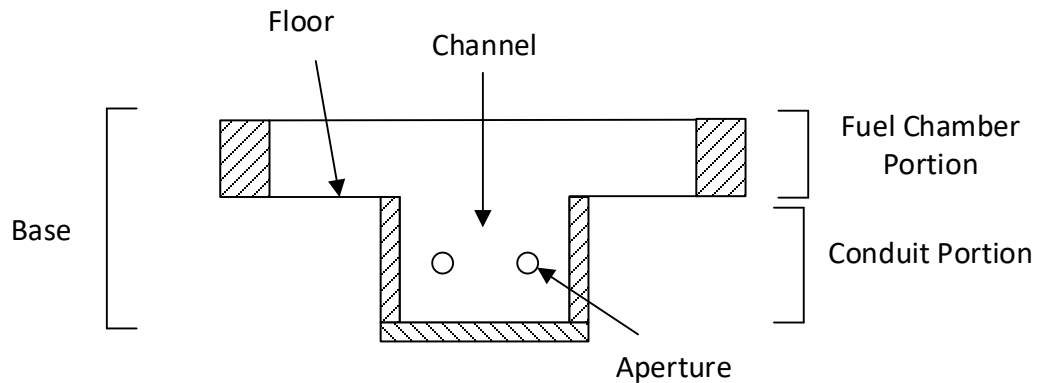
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.


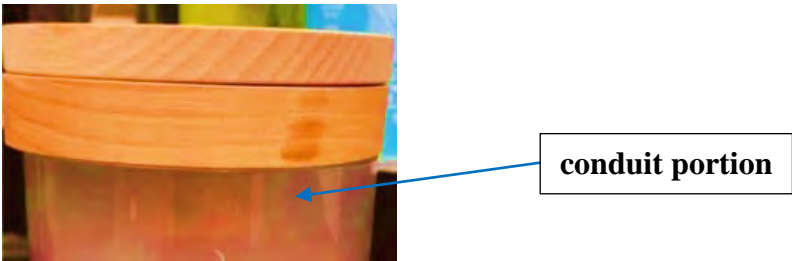


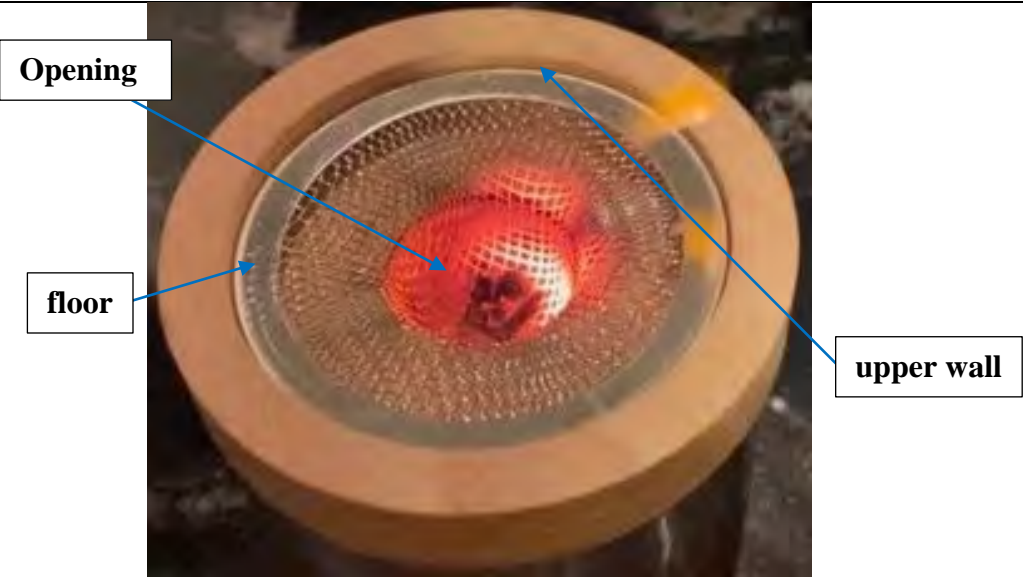
**Claim 1**

A device for imparting smoked flavors to beverages and foodstuffs, comprising:



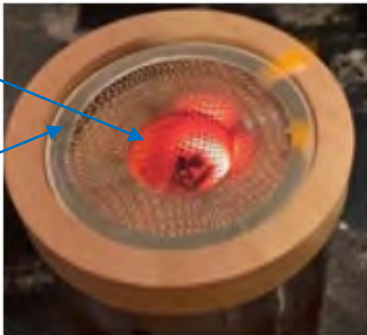

The Etsy.com sellers page lists a product for sale under Product ID 1231061198 is a “. . . Cocktail And Whiskey Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

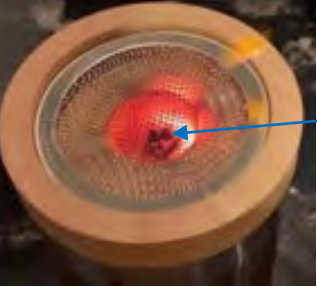



<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="447 277 1778 545">  </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="942 696 1728 954">  </div>
<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



	<p><b>COCKTAIL SMOKING KIT</b> <b>INSTRUCTIONS</b></p>  <p>Prepare desired cocktail. Place bottom portion of smoker device on top of prepared glass. Add pinch of wood chips to smoking screen. Use kitchen torch to ignite with wood chips for approximately 10-15 seconds.</p>  <p>When adequate smoke is produced, place wooden cover on top &amp; allow to steep.</p> <p>The longer you let the smoke settle the stronger the flavor.</p> <p>Remove the cover &amp; enjoy your smokey cocktail.</p>
wherein the conduit portion is disposed below the floor	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>  
and comprises a channel through the	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>

conduit portion	 <p data-bbox="905 261 1102 329"><b>Channel</b></p>
so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space	<p data-bbox="384 521 1829 553">The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p data-bbox="1178 708 1346 776"><b>Aperture</b></p> <p data-bbox="384 1013 1866 1118">The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

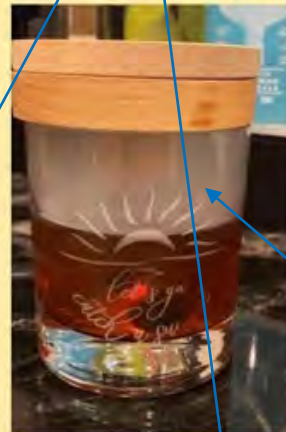
through a wall of the conduit portion

# COCKTAIL SMOKING KIT

## INSTRUCTIONS



Prepare desired cocktail. Place bottom portion of smoker device on top of prepared glass. Add pinch of wood chips to smoking screen. Use kitchen torch to ignite with wood chips for approximately 10-15 seconds.



When adequate smoke is produced, place wooden cover on top & allow to steep.

The longer you let the smoke settle the stronger the flavor.

Remove the cover & enjoy your smokey cocktail.

Place wood chips fuel into chamber

Ignite the wood chips with a torch and create smoke

Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 118 LeafnLeatherCigar, ETSY Product ID 1660870014**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

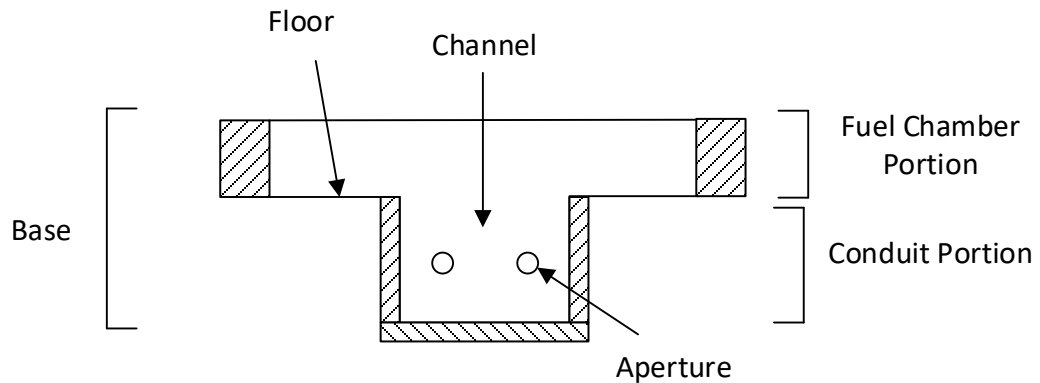
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

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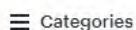
<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



**Claim 1**

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1660870014 is a “. . . Cocktail And Whiskey Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



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**\$49.95**

Cocktail Smoker kit, Bourbon Smoker,  
Bourbon and Whiskey

LeafnLeatherCigar ★★★★★

✓ Arrives soon! Get it by Jul 3-10 if you order today

- ✓ Returns & exchanges accepted

Add to cart



**Star Seller.** This seller consistently earned 5-star reviews, shipped on time, and replied quickly to any messages they received.

### Item details




Handmade



Materials: Wood

Other reviews from this shop | ★★★★★ (271)

 [Report this item to Etsy](#)

Sort by: Suggested ▼

✓ Recommends this item

Item quality 5 ★

Shipping 5 ★

★★★★★

Absolutely perfect! I will definitely order again.



Purchased item: Glencairn Glass, Bourbon tasting, W...


Allison Jun 30, 2024


Our Cocktail Smoker kit provides you with a smoker cap, four different wood chips ( Apple, Oak, Hickory, and Cherry), and a butane torch.



[Learn more about this item](#)



<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="407 305 1864 649">  </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="907 795 1730 1068">  </div>
<p>the fuel chamber portion comprising an upper wall portion defining a</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="436 873 1864 1222">  </div>
<p>and comprises a channel through the</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>

<p>conduit portion</p>	 <div data-bbox="903 261 1102 329" style="border: 1px solid black; padding: 2px; display: inline-block;">Channel</div>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <div data-bbox="1178 708 1346 776" style="border: 1px solid black; padding: 2px; display: inline-block;">Aperture</div> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

through a wall of the conduit portion



**Place wood chips  
fuel into chamber**

**Ignite the wood  
chips with a torch  
and create smoke**

**Smoke flows down,  
not up, through the  
channel in the conduit  
and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 119 GoodVibesbuy, ETSY Product ID 1654376477**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

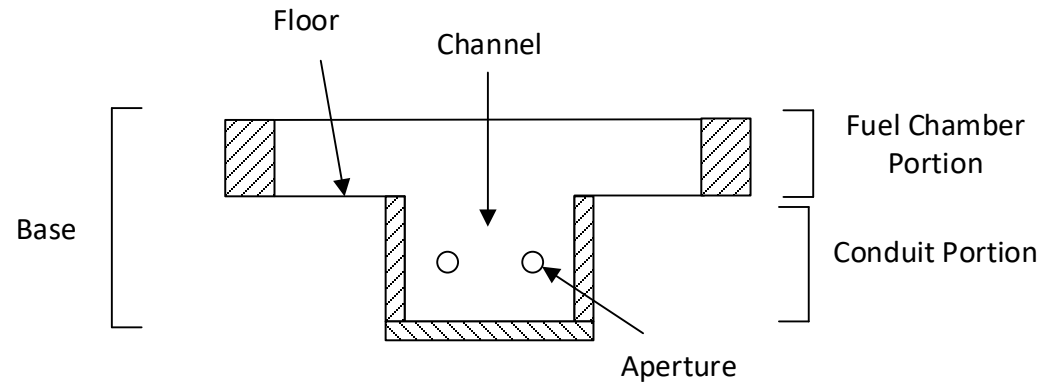
There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.








### Claim 1


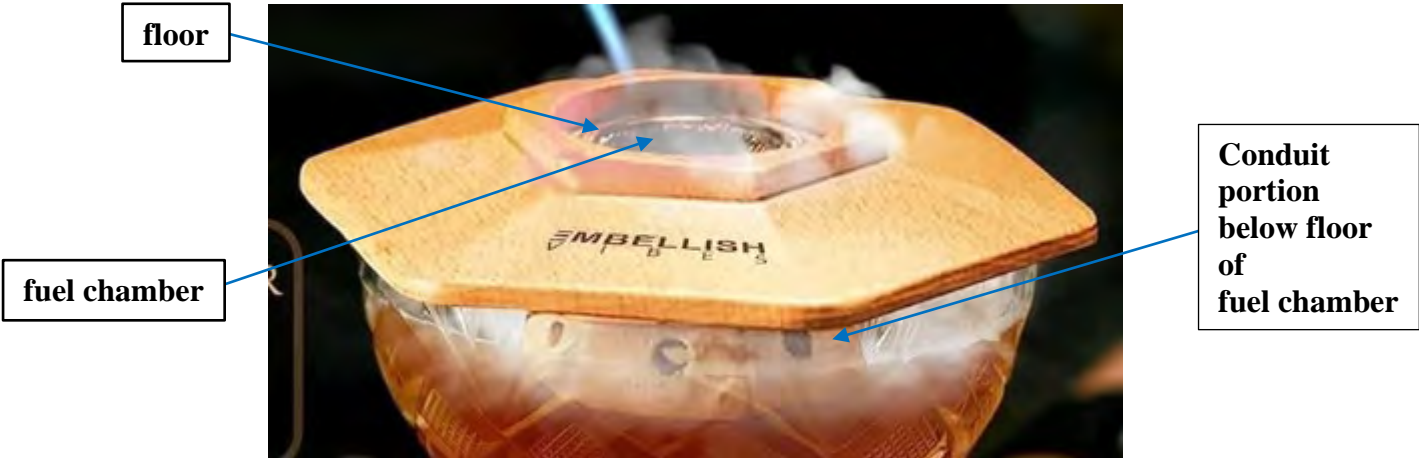
A device for imparting smoked flavors to beverages and foodstuffs, comprising:



The Etsy.com sellers page lists a product for sale under Product ID 1654376477 is a “Cocktail Smoker Kit . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="407 310 648 410"> <p><b>fuel chamber portion</b></p> </div>  <div data-bbox="1703 456 1803 518"> <p><b>base</b></p> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p>  <div data-bbox="1478 992 1728 1053"> <p><b>conduit portion</b></p> </div>
<p>the fuel chamber portion comprising an upper wall portion</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	 <p><b>How to Use Cocktail SMOKER KIT</b></p> <p>Light up the torch away from the wood chips to avoid Butane taste, ignite wood chips with the torch</p> <p>Smoke the drink, let it sit for 10-20 seconds.</p> <p>Prepare drink and add a pinch of wood chips. Less is more!</p>
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>  <p><b>floor</b></p> <p><b>fuel chamber</b></p> <p><b>Conduit portion below floor of fuel chamber</b></p>

<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p>



from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.



**Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit**

**Ignite the wood chips with a torch and create smoke**

**Place wood chips fuel into chamber**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 120 FOURKLEESTORE, ETSY Product ID 1596587912**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

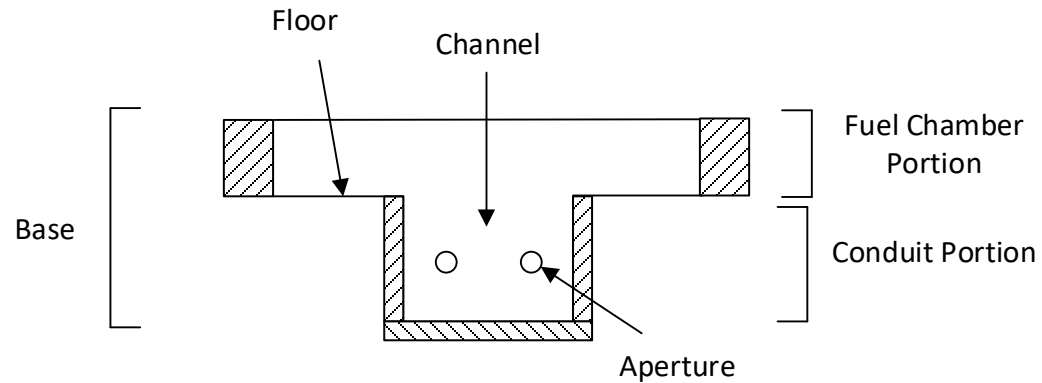
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---



<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.





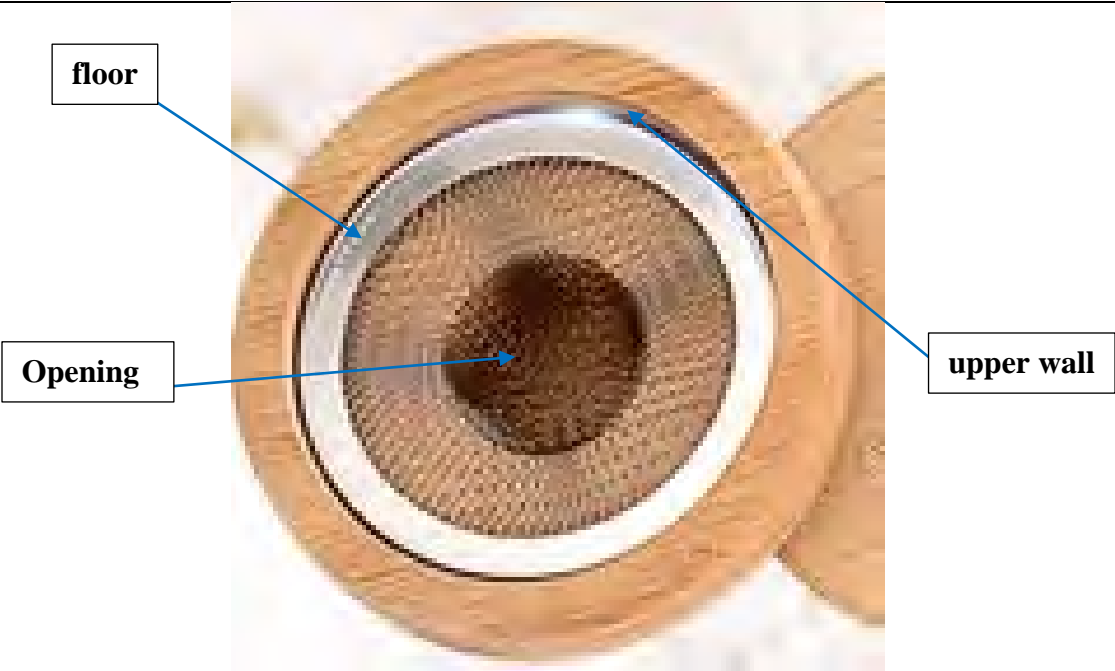
### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1596587912 is a “Drink Smoker. . . Whiskey Smoker, Cocktail Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

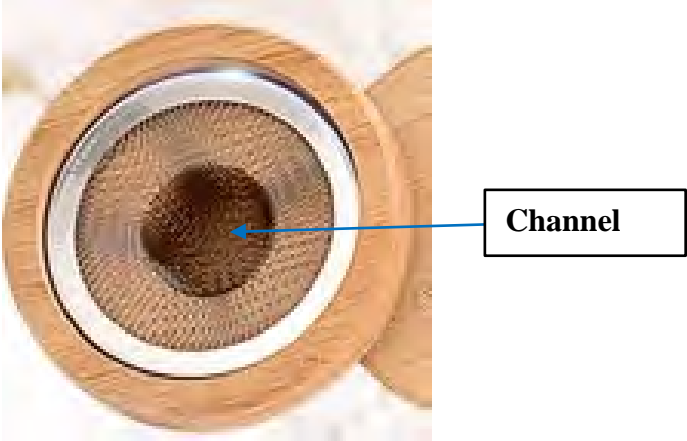

	 <p data-bbox="447 954 686 979"> Report this item to Etsy</p> <p data-bbox="426 1003 541 1036"><b>\$69.99</b></p> <p data-bbox="426 1044 1820 1092">Drink Smoker, Smoke Cocktail, Bourbon Smoker, Whiskey Smoker, Cocktail Smoker, Old Fashioned Smoker, Smoke Cocktail Gift Set.</p>
a base having a fuel chamber portion at	The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:

its upper end and	<div data-bbox="422 253 663 355" data-label="Text"> <p><b>fuel chamber portion</b></p> </div>  <div data-bbox="1593 485 1696 548" data-label="Text"> <p><b>base</b></p> </div>
a conduit portion at its lower end,	<p data-bbox="384 727 1638 760">The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p>  <div data-bbox="1566 980 1818 1044" data-label="Text"> <p><b>conduit portion</b></p> </div>
the fuel chamber portion comprising an upper wall portion	<p data-bbox="384 1166 1890 1268">The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



	<p><b>Included:</b></p>  <p>Items included: BLOW TORCH, SMOKER INFUSER WITH LID, 2 SILICONE ICE CUBE MOLDS, 2 WHISKY GLASSES, 4 SMOKER WOOD CHIPS, SPOON, BRUSH.</p>
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>  <p>Labels: floor, fuel chamber, Conduit portion below floor of fuel chamber.</p>

<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> 
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>

least one aperture that extends from the channel space through a wall of the conduit portion

**Place wood chips fuel into chamber**

**Ignite the wood chips with a torch and create smoke**

**Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit**



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 122 SouthernEdgeTX, ETSY Product ID 1310500829**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

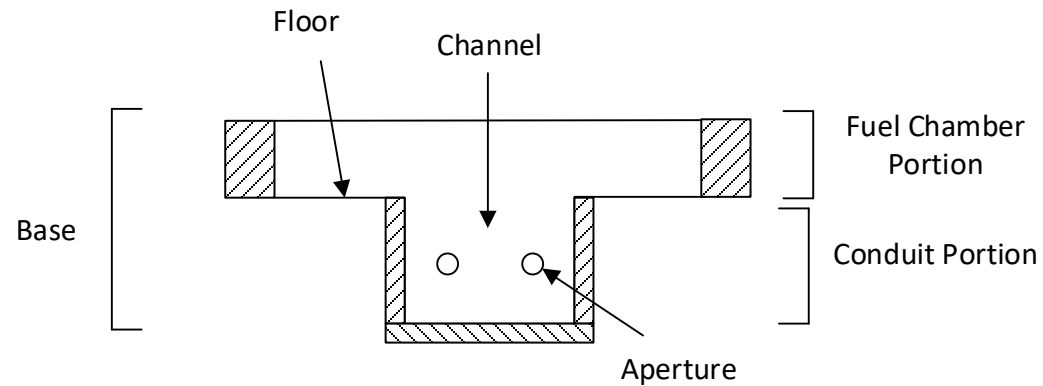
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1310500829 is a “. . . Cocktail Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



10



### Gift Cards



Sale ends in 5 days

SouthernEdgeTX ★★★★★



### Item details

 Handmade

 Materials: wood

Personalized Cocktail Smoker. Unique Christmas, Fathers Day, Birthday, Anniversary or business customer gift for the whiskey drinkers in your life.

[Learn more about this item](#)

🚩 [Report this item to Etsy](#)

Sort by: Suggested ▼


✓ Recommends this item

Item quality 5 ★

Shipping 5 ★

Customer service 5 ★

### Shipping and return policies

 Order today to get by Jul 17-Aug 5

 Returns & exchanges not accepted

Other reviews from this shop | ★★★★★ (1,339)



★★★★★

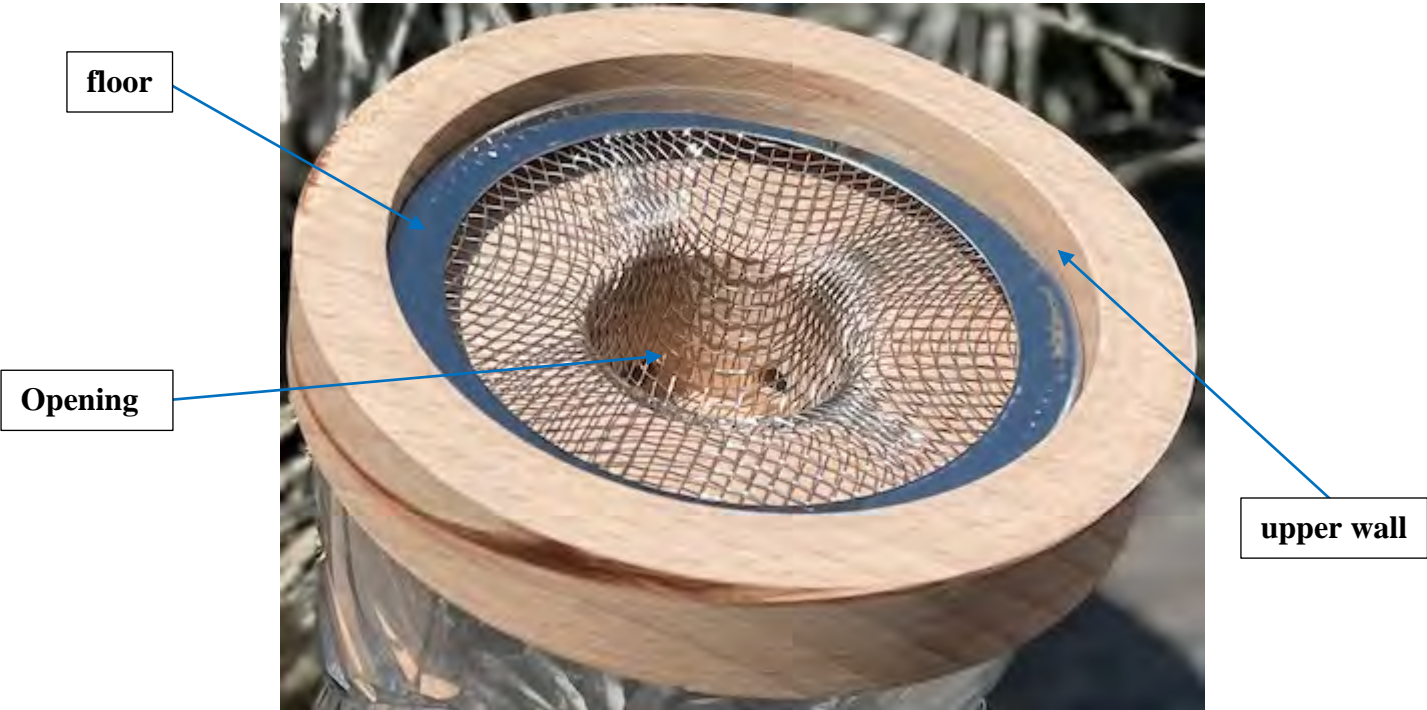
I love this. The quality was incredible. Customer service and shipping were very good.

Purchased item: Personalized Whiskey Smoker Set, Customized Ca...

Melissa Sloan Dec 5, 2023



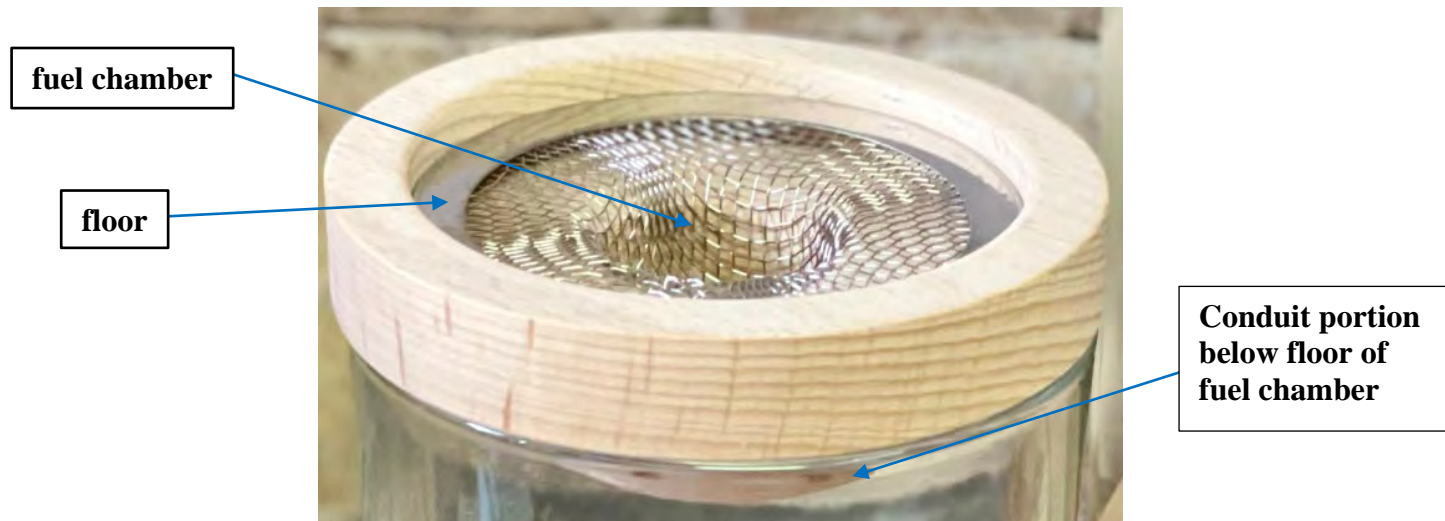
<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="394 313 1642 630"><div data-bbox="394 313 636 414"><b>fuel chamber portion</b></div><div data-bbox="1539 430 1642 492"><b>base</b></div></div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="743 776 1835 1292"><div data-bbox="1583 1161 1835 1222"><b>conduit portion</b></div></div>

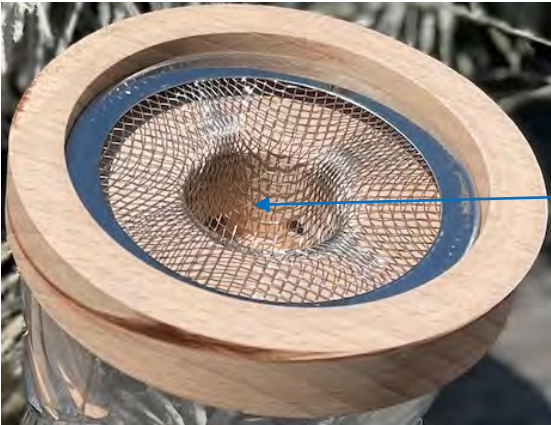
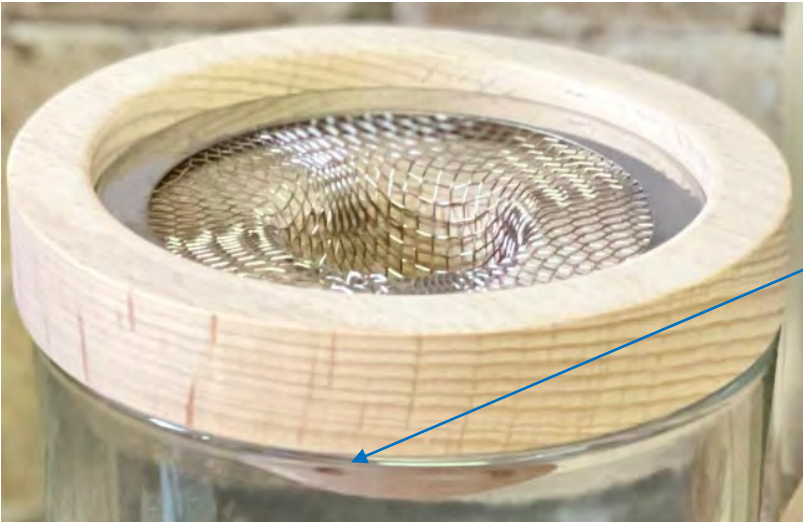
<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>




wherein the conduit portion is disposed below the floor

The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.



<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p>

<p>that extends from the channel space through a wall of the conduit portion</p>	<p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p> <div data-bbox="495 597 800 696"> <p><b>Place wood chips fuel into chamber</b></p> </div> <div data-bbox="980 337 1289 912">  </div> <div data-bbox="1417 329 1705 469"> <p><b>Ignite the wood chips with a torch and create smoke</b></p> </div> <div data-bbox="1352 941 1778 1109"> <p><b>Smoke flows down, not up, through the channel in the conduit and out at least one aperture in the conduit</b></p> </div>
----------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 123 LoveGigiTX, ETSY Product ID 1322133437**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

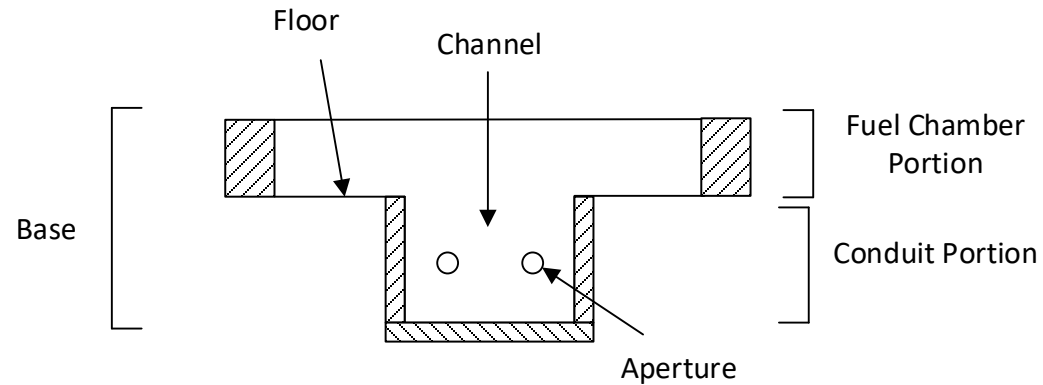
There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.





### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1322133437 is a “Cocktail Smoker Set . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

Categories

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This shop is taking a short break. Want to know when they return? [Sign up for Updates](#)

**\$50.00**  
Cocktail Smoker Set Perfect Christmas Gift  
LoveGigiTX ★★★★★

Returns & exchanges accepted

Add your personalization\*  
Enter what you would like engraved on the chimney lid.

256

Item details

Handmade

This cocktail smoker set is the perfect gift if you're looking to WOW someone with something unique! You'll get a gift box with the wooden chimney and four tins of wood chips: apple, oak,

[Learn more about this item](#)

[Report this item to Etsy](#)

Other reviews from this shop | ★★★★★ (104)

Sort by: Suggested ▼

★★★★★  
Quick response & delivery. Great gift for my dad. Thank you!!  
Purchased item: [Cocktail Smoker Set](#)  
Stephanie Dec 21, 2022



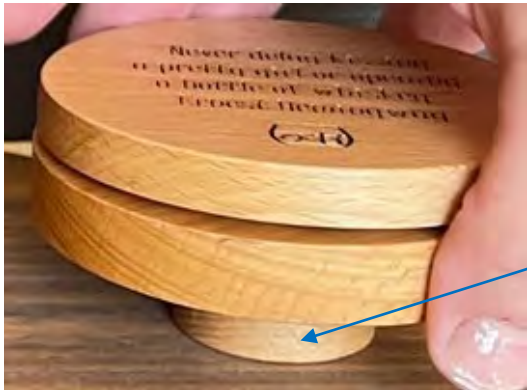
Shipping and return policies

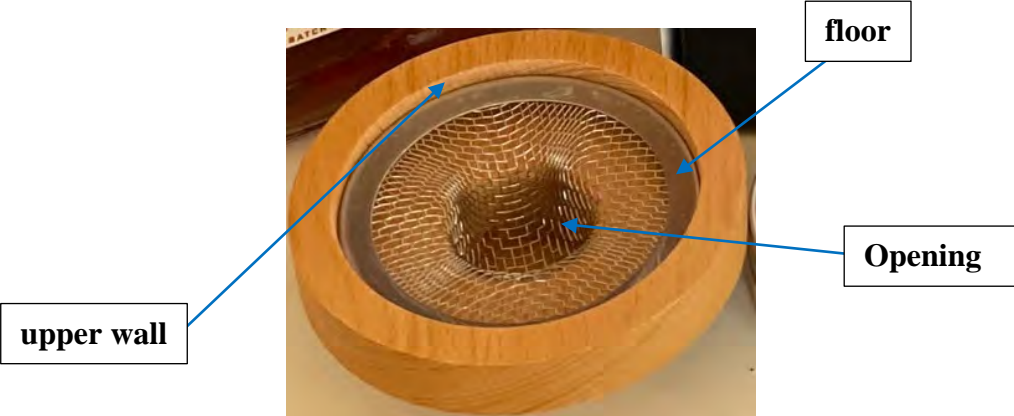
Order today to get by **Jul 11-18**





[Returns & exchanges accepted within 30 days](#)



Free shipping

Ships from: Allen, TX

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="380 293 1824 649"> <div data-bbox="380 293 550 448" style="border: 1px solid black; padding: 2px; display: inline-block;"><b>fuel chamber portion</b></div> <div data-bbox="695 302 1115 646" style="display: inline-block; text-align: center;">  </div> <div data-bbox="1115 302 1587 646" style="display: inline-block; text-align: center;">  </div> <div data-bbox="1604 475 1824 646" style="display: inline-block; text-align: center;"> <div data-bbox="1724 505 1824 565" style="border: 1px solid black; padding: 2px; display: inline-block;"><b>base</b></div> </div> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="879 792 1818 1179">  <div data-bbox="1566 967 1818 1027" style="border: 1px solid black; padding: 2px; display: inline-block;"><b>conduit portion</b></div> </div>
<p>the fuel chamber portion comprising an upper</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	 <p>The photograph shows a wooden, bowl-shaped device. A label 'upper wall' points to the outer rim. A label 'floor' points to the mesh bottom. A label 'Opening' points to the central hole in the mesh.</p>
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

		
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div style="display: flex; align-items: center; justify-content: space-around;"> <div style="text-align: center;"> <p><b>fuel chamber</b></p>  <p><b>floor</b></p>  </div> <div style="text-align: center;"> <p><b>Conduit portion below floor of fuel chamber</b></p>  </div> </div>	
<p>and comprises a channel through the</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>	

<p>conduit portion</p>	 <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>



channel  
space  
through a  
wall of the  
conduit  
portion



**Ignite the wood  
chips with a torch  
and create smoke**

**Place wood chips  
fuel into chamber**

**Smoke flows down, not up,  
through the channel in the  
conduit and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 124 VoiceCloudCustoms, ETSY Product ID 1536145137**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

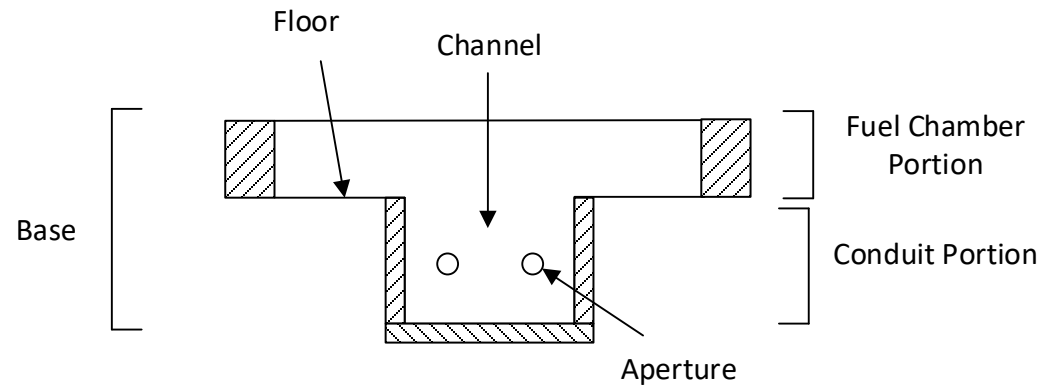
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1536145137 is a “Whiskey and Cocktail Smoker” which is a device for imparting smoked flavors to beverages and foodstuffs.

Categories Search for anything Sign in Gift Mode Back-to-School Savings Home Favorites Fashion Finds Registry Gift Cards

[Homepage](#) > [Home & Living](#) > [Kitchen & Dining](#) > [Drink & Barware](#) > [Drinkware](#)

Rare find

# \$29.99

Whiskey and Cocktail Smoker

VoiceCloudCustoms ★★★★★

✓ Arrives soon! Get it by Jul 9-15 if you order today

Add your personalization (optional) ▾

Add to cart

Item details ^

- Handmade
- Materials: Metal, wood

A whiskey and cocktail smoker is a device used to infuse a smoky flavor into whiskey and cocktails. It typically consists of a small container or chamber where wood

Other reviews from this shop | ★★★★★ (25)

★★★★★  
This quality custom sign is amazing! The seller was super attentive and provided updated photos from start to finish. The...  
Response from VoiceCloud Customs:  
Thank you so much for your kind words! I enjoy creating custom signs like this, and it came out amazing. I hope your College Gra...  
Purchased item: Custom Pro Sports Realtor & College Signs

Sort by: Suggested ▾

Recommend this item

Item quality	5 ★
Shipping	5 ★
Customer service	5 ★

Learn more about this item

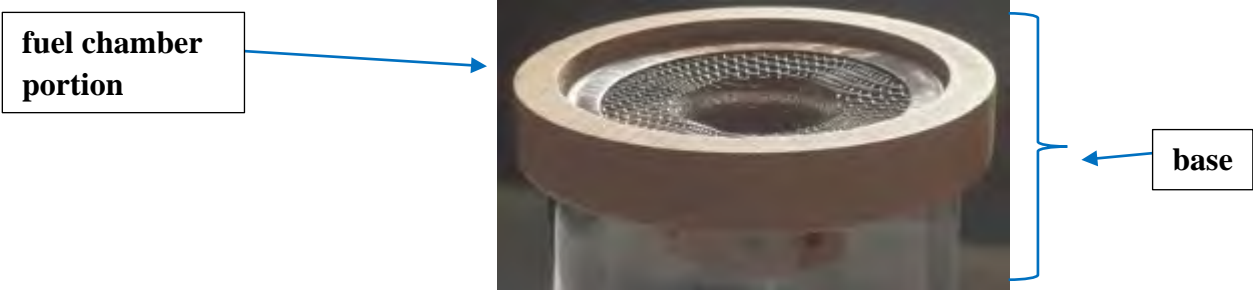
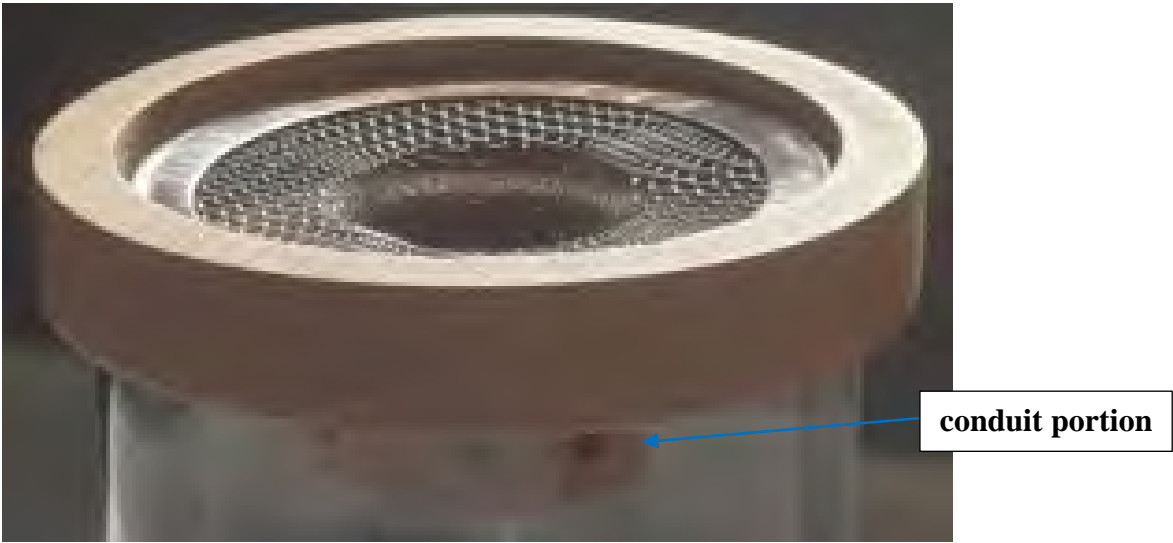
Shipping and return policies ^

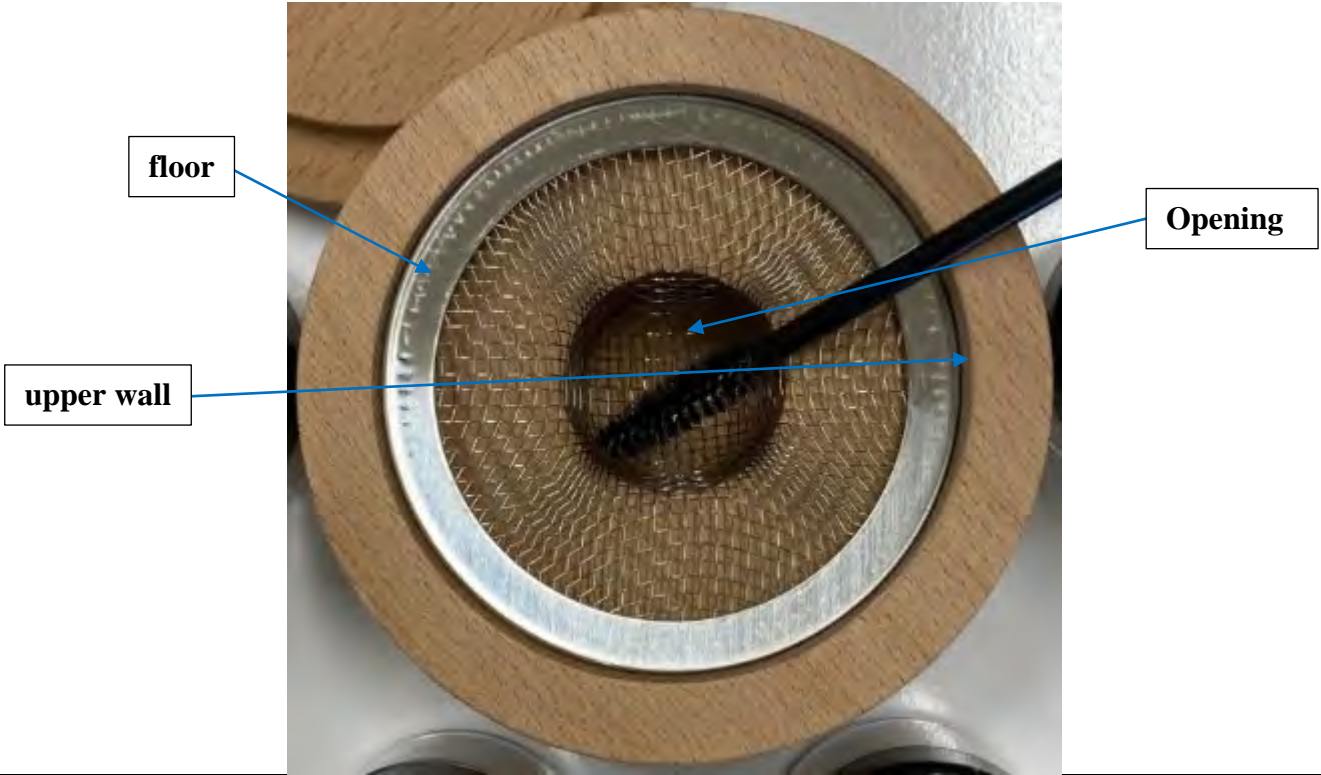
Order today to get by Jul 9-15

Returns & exchanges not accepted


Cost to ship: \$5.07

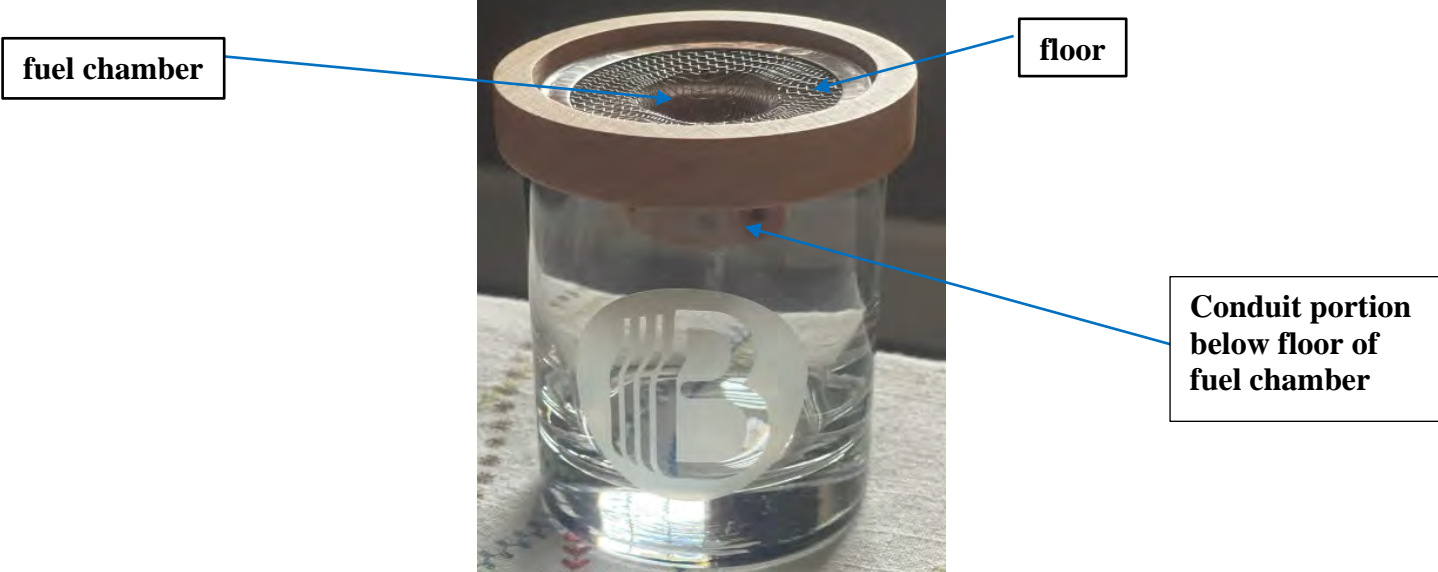
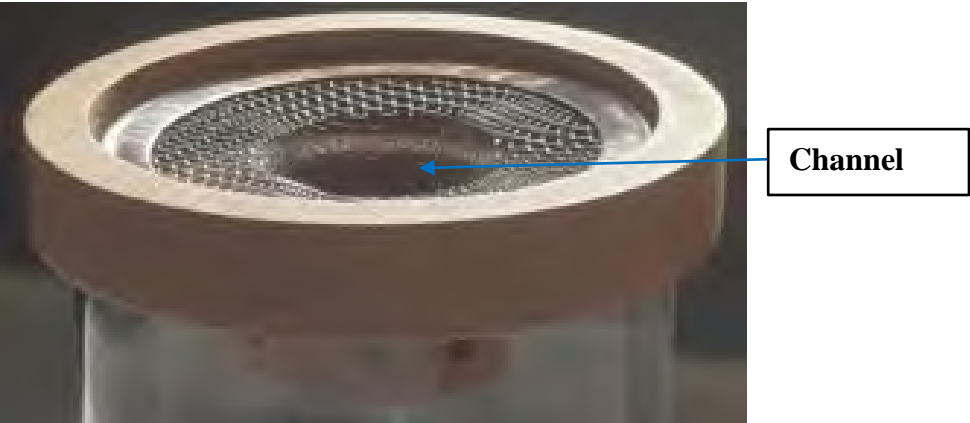
Ships from: Hilton, NY

a base having a fuel chamber portion at its upper end and	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p>  <p>The diagram shows a top-down view of the Cocktail Smoker base. A blue arrow points from the text 'fuel chamber portion' to the central circular area with a mesh floor. Another blue arrow points from the text 'base' to the outer ring of the device.</p>
a conduit portion at its lower end,	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p>  <p>The diagram shows a side view of the Cocktail Smoker base. A blue arrow points from the text 'conduit portion' to the small protruding element at the bottom center of the base.</p>
the fuel chamber portion comprising	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

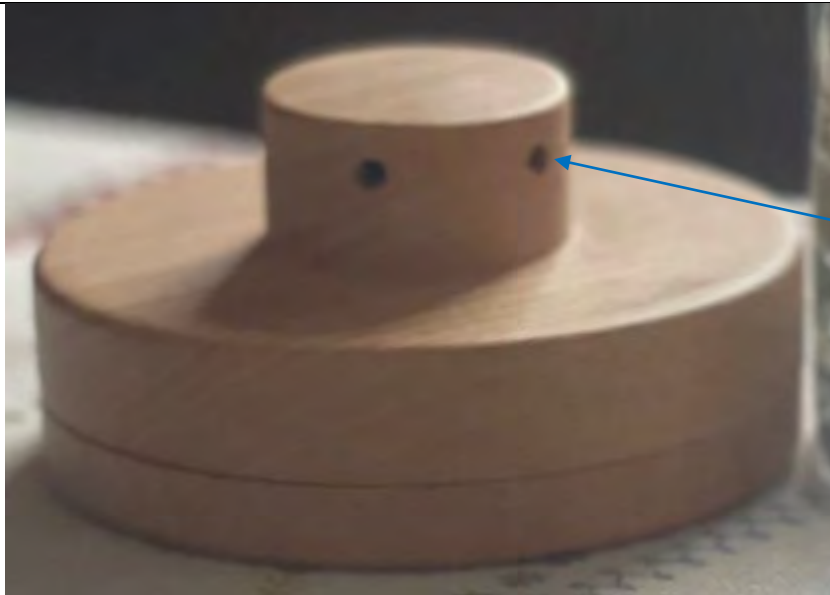
<p>an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>

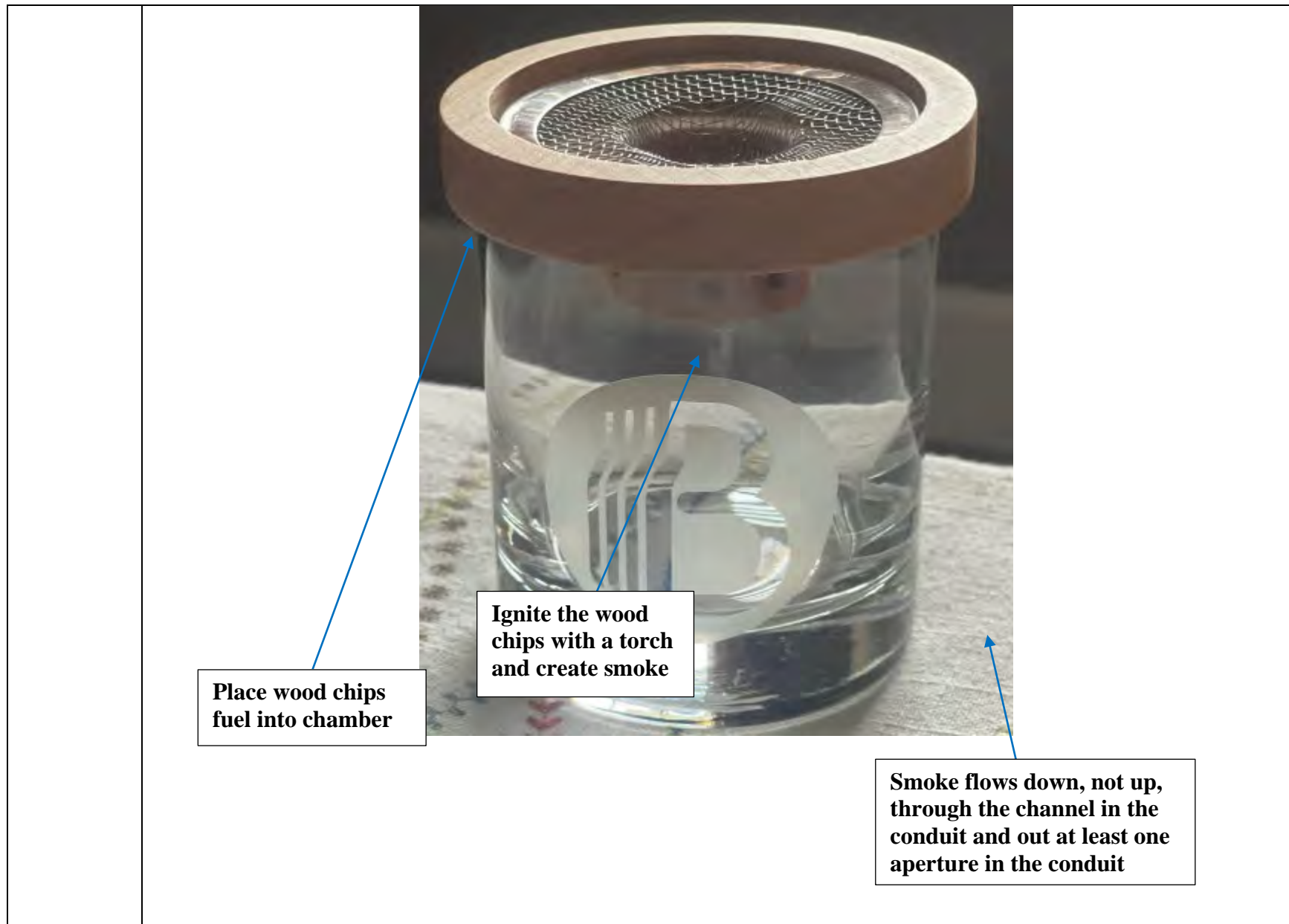
	 <p><b>fuel chamber</b></p> <p><b>floor</b></p> <p><b>Conduit portion below floor of fuel chamber</b></p>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>

fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion



**Aperture**

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.





**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 125 TheCraftyWarriorLLC, ETSY Product ID 1308343167**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

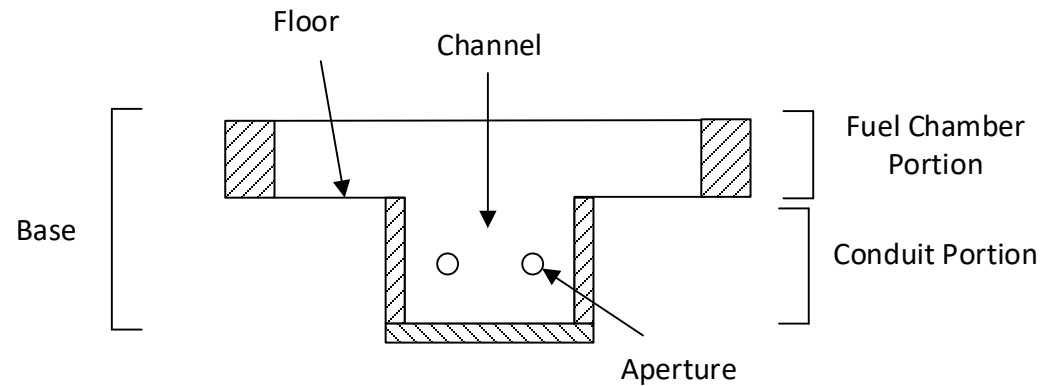
There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.

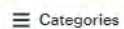




### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1308343167 is a “Cocktail Smoker Kit . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.




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## Fashion Finds

Registry

Gift Cards

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Low in stock, only 2 left

\$40.00

Cocktail Smoker Kit - Bourbon Smoker -  
Cocktail Smoker - Gift for Dad - Gift for  
Husband

TheCraftyWarriorLLC ★★★★★

✓ Arrives soon! Get it by Jul 11-15 if you order today

Add your personalization \*

Add your name, saying, or graphic below. Please email graphic to [thecraftywarriorllc@gmail.com](mailto:thecraftywarriorllc@gmail.com).

256

Add to cart



**Star Seller.** This seller consistently earned 5-star reviews, shipped on time, and replied quickly to any messages they received.

[Report this item to Etsy](#)

### Item details

Other reviews from this shop | ★★★★★ (122)

Sort by: Suggested ▼

★★★★★

Found my new favorite everyday wear hat!

Purchased item: Marine Veteran Hat - Military

 Juan Vazquez Jun 29, 2024

✓ Recommends this item

Item quality 5 ★

Shipping 5 ★

Customer service 5 ★

✓ Recommends this item


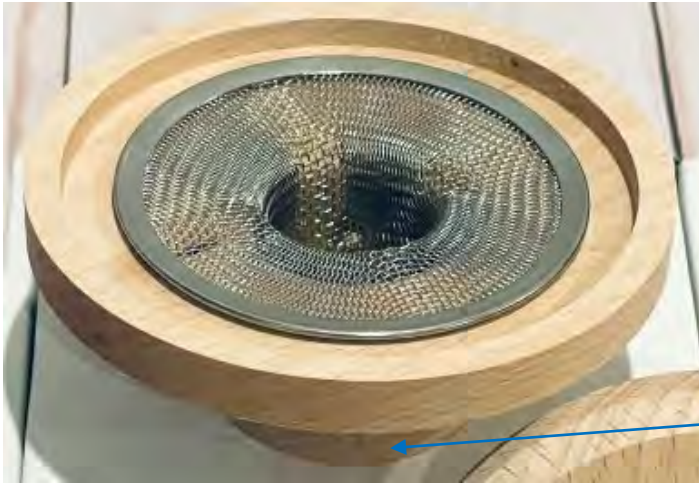
 Handmade

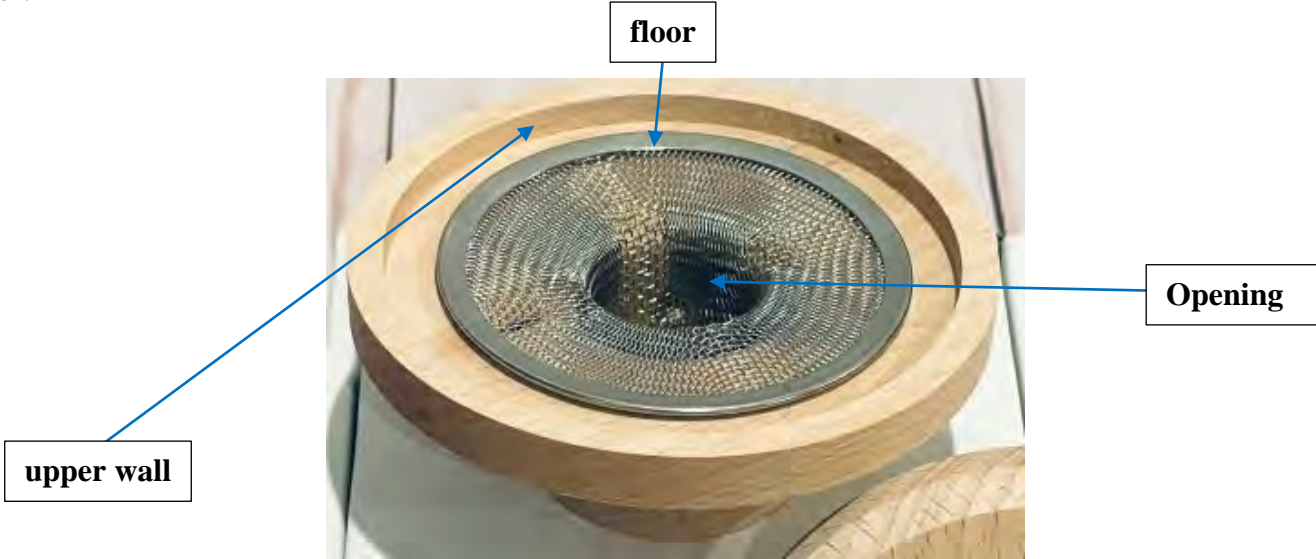
 Materials: Wood


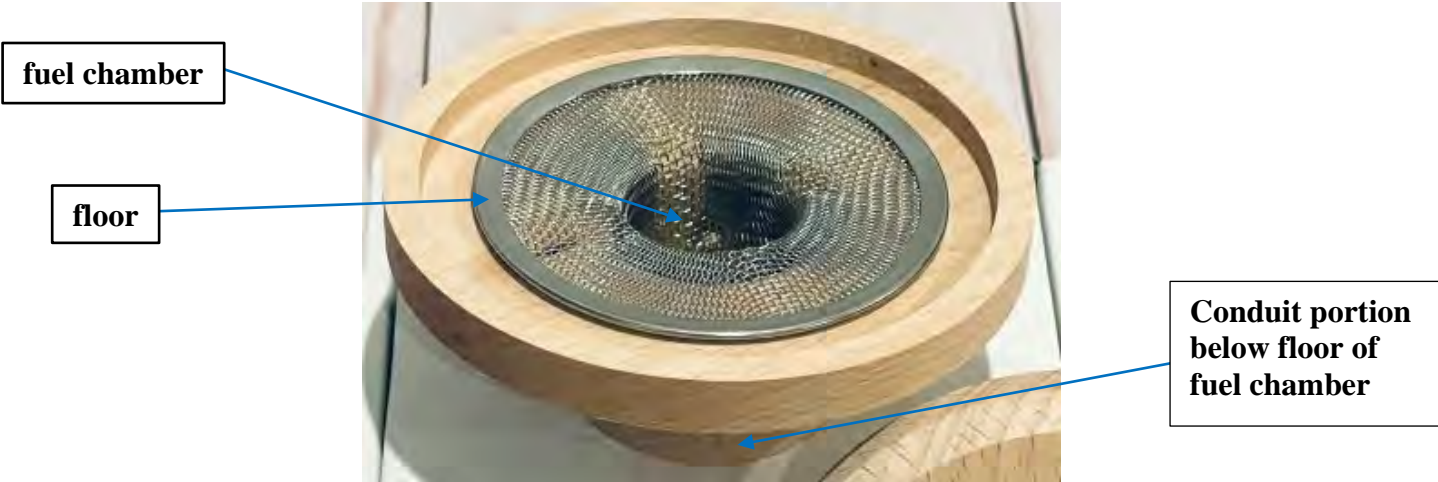
Personalized Cocktail/Bourbon Smoker kit!

What a perfect gift for those who love

[Learn more about this item](#)

<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="396 282 638 384"><b>fuel chamber portion</b></div> <div data-bbox="793 263 1488 743"></div> <div data-bbox="1507 272 1753 711"><div data-bbox="1654 474 1753 534"><b>base</b></div></div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="793 888 1488 1369"></div> <div data-bbox="1583 1274 1835 1334"><b>conduit portion</b></div>

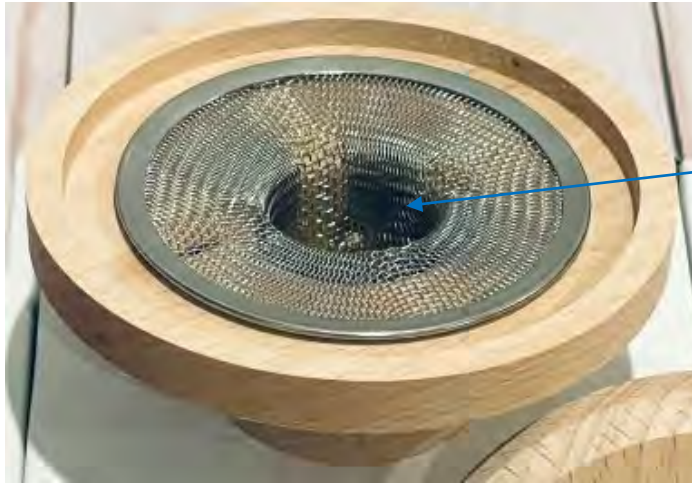
<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> 



and  
comprises a  
channel  
through the  
conduit  
portion

The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.



**Channel**

so that,  
when the  
fuel in the  
fuel  
chamber  
portion is  
ignited, the  
channel  
facilitates  
flow of  
smoke  
downward  
from the  
fuel  
chamber  
portion  
through at

The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:



**Aperture**



least one aperture that extends from the channel space through a wall of the conduit portion

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.



Handmade



Materials: Wood

Personalized Cocktail/Bourbon Smoker kit!

What a perfect gift for those who love cocktails or bourbon! This smoker kit comes with inclusive laser engraving on wooden wood top to personalize how you like it. The kit itself comes in a white, unmarked box which includes 4 flavors of wood chips, ash mesh basket and a brush.

For custom designs or logos, please email us at thecraftywarriorllc [at] gmail.com.

Torch lighter required to ignite smoking chips (not included in this listing). Many people tend to order the torch lighter and

**Ignite the wood chips with a torch and create smoke**

**Place wood chips fuel into chamber**





**Smoke flows down, not up,  
through the channel in the  
conduit and out at least one  
aperture in the conduit**

**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 126 DreamTreeDesignsShop, ETSY Product ID 1647360434**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

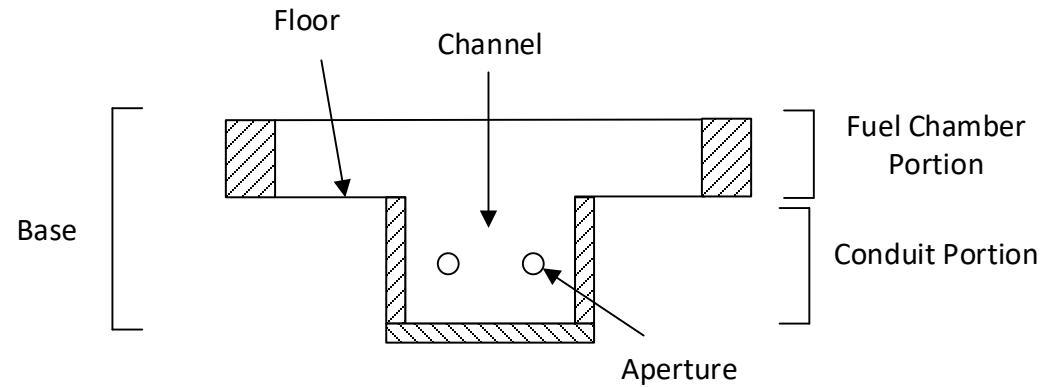
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1647360434 is a “. . . Cocktail Smoker . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.



a base having a fuel chamber portion at its upper end and


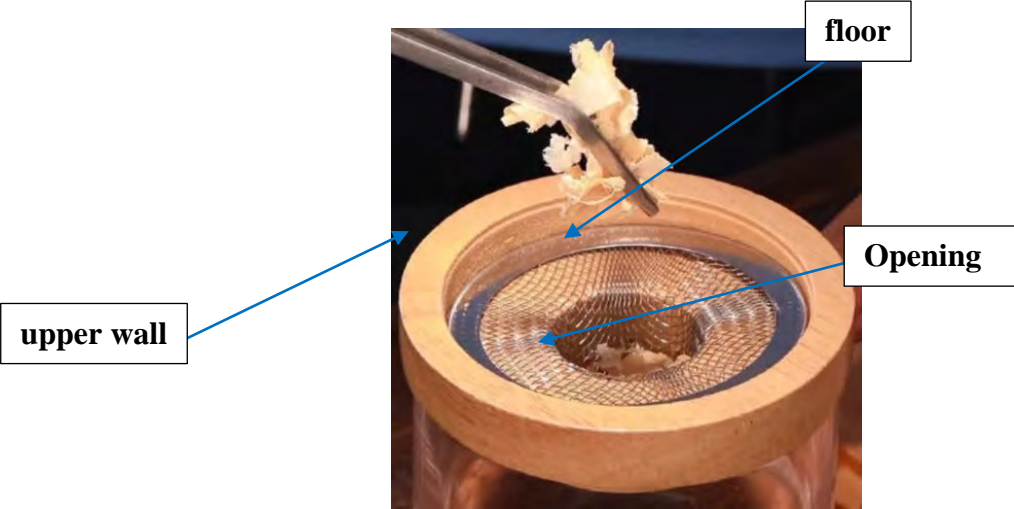
The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:

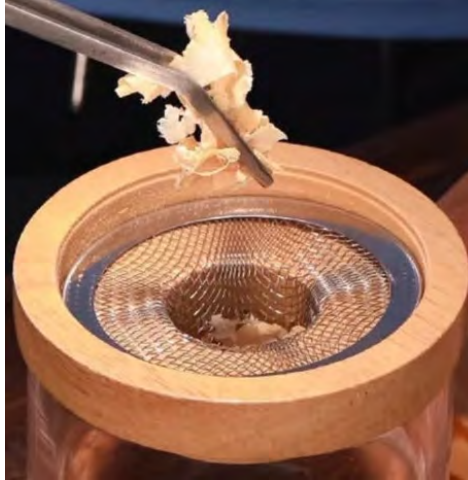


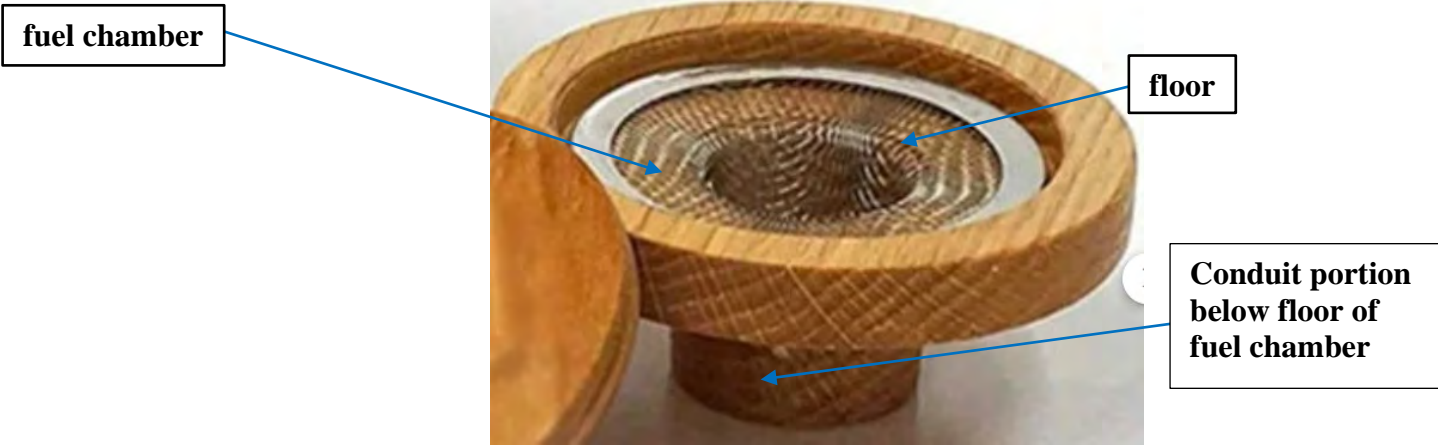
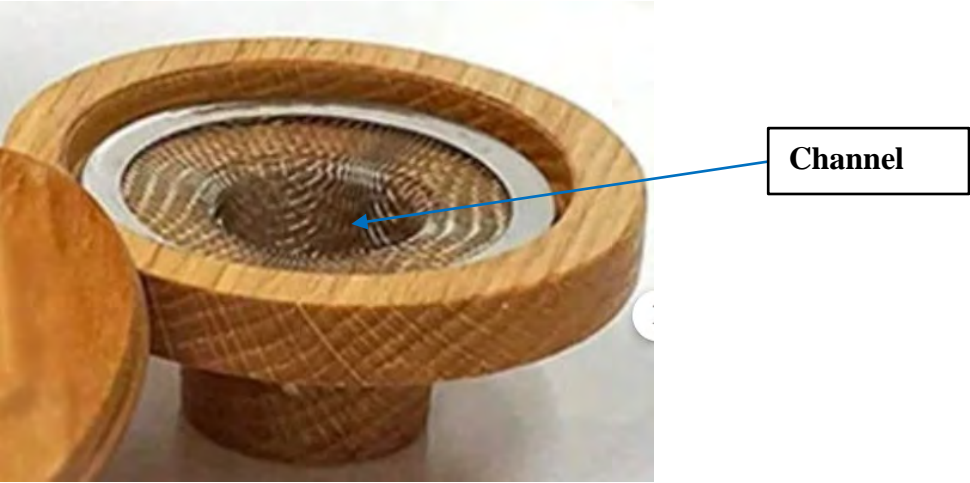
a conduit portion at its lower end,

The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.



	 <p data-bbox="1556 423 1808 483"><b>conduit portion</b></p>
<p data-bbox="201 711 361 1391">the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the</p>	<p data-bbox="382 711 2100 781">The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>  <p data-bbox="625 1125 810 1185"><b>upper wall</b></p> <p data-bbox="1423 824 1528 885"><b>floor</b></p> <p data-bbox="1465 1047 1633 1107"><b>Opening</b></p>

upper wall portion to an opening in the floor	
wherein the fuel chamber portion is oriented to hold fuel, and	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p> 
wherein the conduit portion is disposed below the floor	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p>

	 <p><b>fuel chamber</b></p> <p><b>floor</b></p> <p><b>Conduit portion below floor of fuel chamber</b></p>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>  <p><b>Channel</b></p>
<p>so that, when the fuel in the</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>

fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion



**Aperture**

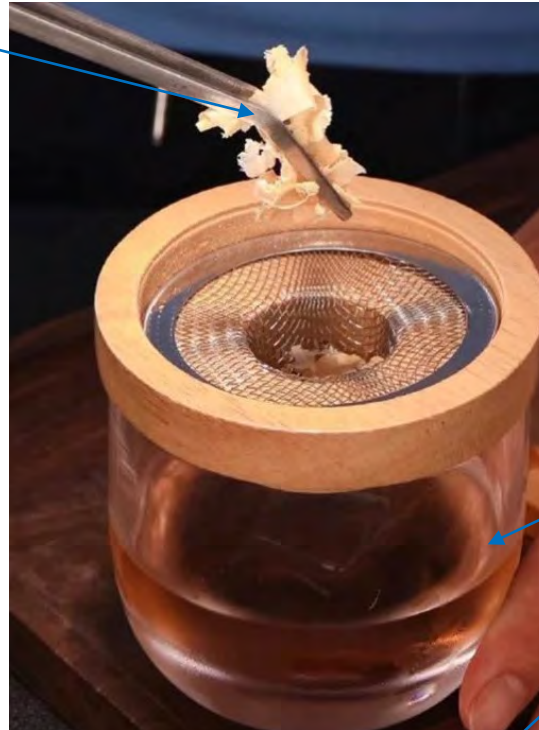
The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.

Handmade Whiskey Applewood Smoker Kit.

Use this elegant tin of Applewood shavings kit to smoke a perfect cocktail. The possibilities are endless. Pairs well with the Speakeasy Whisky Cocktail Smoker - Ships fast to celebrate your special occasions. Each cocktail smoker is hand crafted and turned on the lathe.

**Ignite the wood chips with a torch and create smoke**

**Place wood chips  
fuel into chamber**



**Smoke flows down, not up,  
through the channel in the  
conduit and out at least one  
aperture in the conduit**

Handmade Whiskey Applewood Smoker Kit.

Use this elegant tin of Applewood shavings kit to smoke a perfect cocktail. The possibilities are endless. Pairs well with the Speakeasy Whisky Cocktail Smoker - Ships fast to celebrate your special occasions. Each cocktail smoker is hand crafted and turned on the lathe.

--	--



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 129 TorchwoodDesignCO, ETSY Product ID 1643332908**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

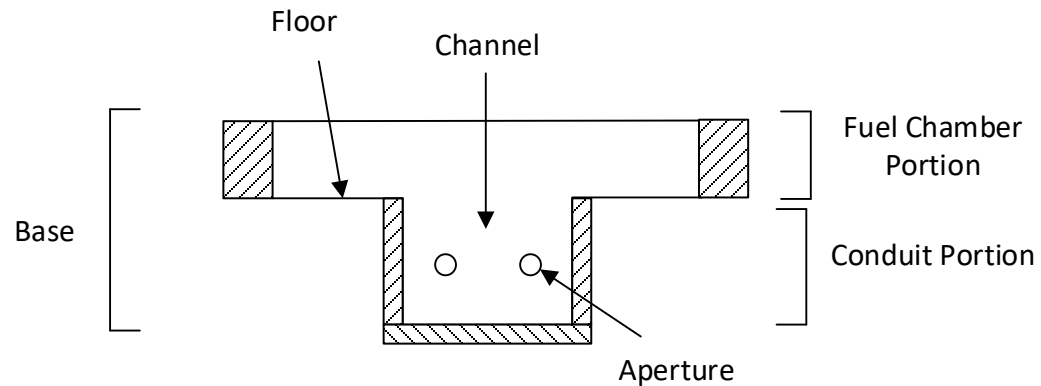
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



### Claim 1

A device for imparting smoked flavors to beverages and foodstuffs, comprising:


The Amazon.com sellers page lists a product for sale under ETSY Product ID 1643332908 is a “COCKTAIL SMOKER. . .” STL file, using the cocktail smoker design to sell files on how to create a device for imparting smoked flavors to beverages and foodstuffs.

etsy.com/listing/1643332908/cocktail-smoker-with-lid-stl-file-for

Etsy Categories Search for anything Sign in

Gift Mode Back-to-School Savings Home Favorites Fashion Finds Registry Gift Cards

Homepage > Craft Supplies & Tools



\$4.99

COCKTAIL SMOKER with lid STL file for cnc

TorchwoodDesignCO ★★★★★

Add to cart

Item details

Digital download

Digital file type(s): 1 File

Elevate your mixology experience with our Digital STL Files for the 3.5-Inch Diameter Cocktail Smoker and Lid! 🌿🌿

Learn more about this item

Report this item to Etsy

Delivery

Instant Download

Your files will be available to download once payment is confirmed. [Here's how.](#)

Instant download items don't accept returns, exchanges or cancellations. Please contact the seller about any problems with your order.

Other reviews from this shop | ★★★★★ (50)

★★★★★

Accidentally bought the clearly listed .STL file which I can use on my software. Viewed the file in a program and it looks awesome!

Purchased item: [COCKTAIL SMOKER with lid STL file for cnc](#)

Andy Jun 14, 2024



Sort by: Suggested


✓ Recommends this item



Item quality 5 ★

Shipping 5 ★


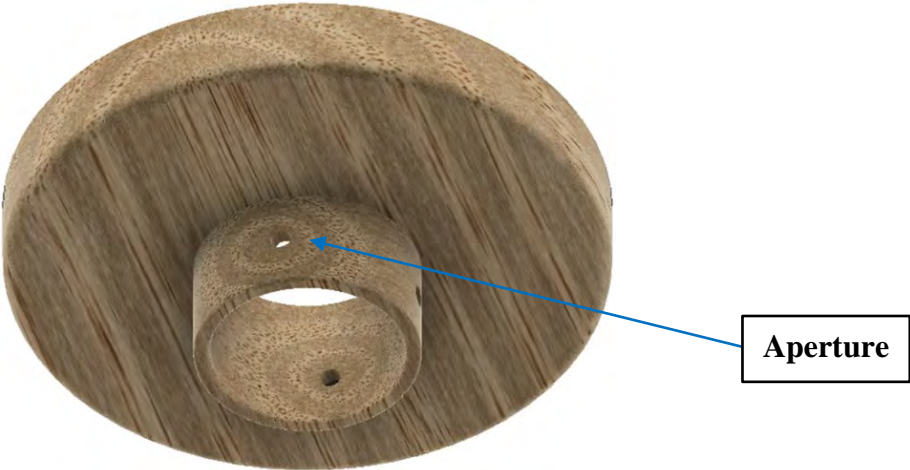
Customer service 5 ★

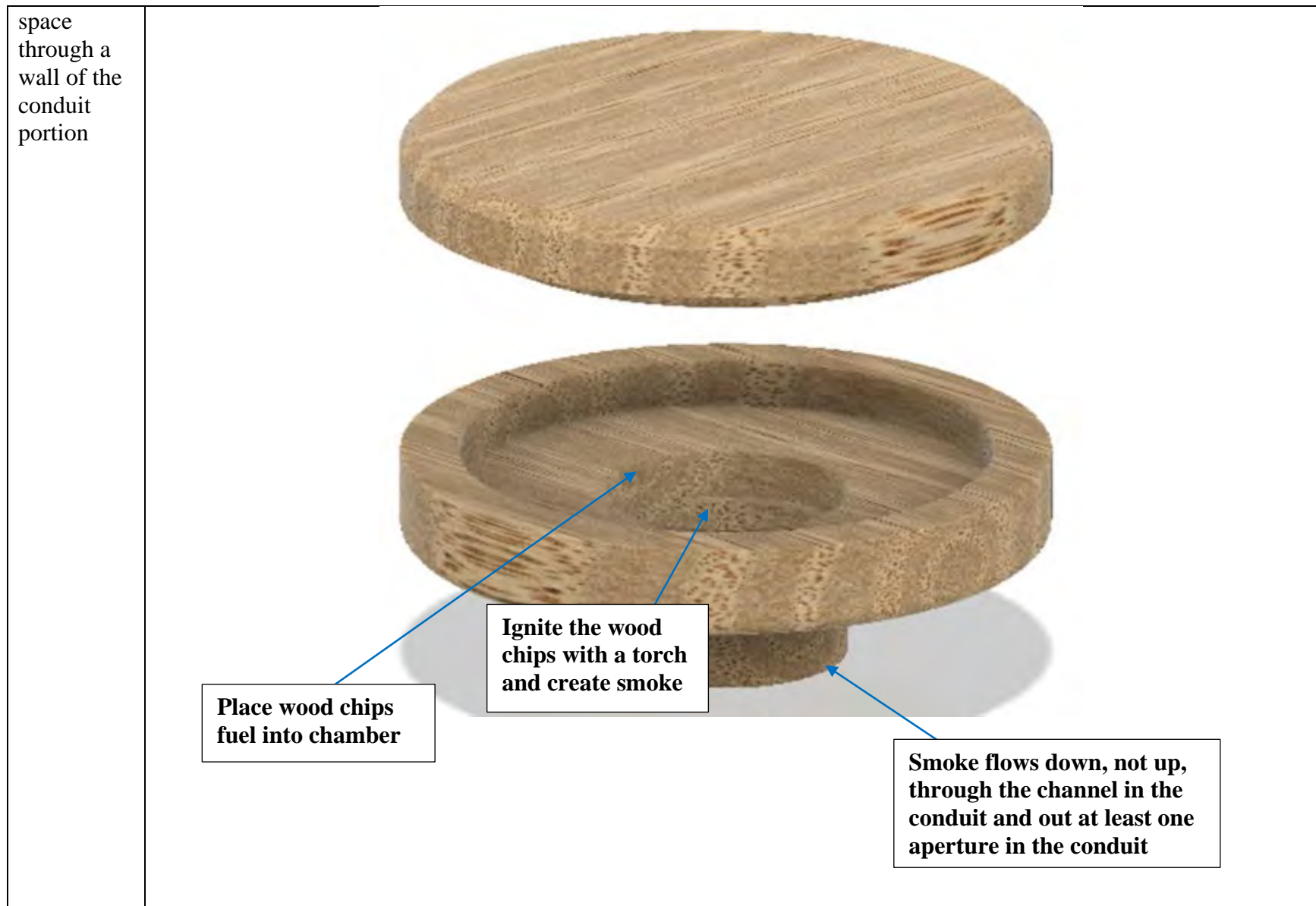
<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> 
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> 

<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> 
<p>and comprises a channel</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>



<p>through the conduit portion</p>	
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>



**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 130 SouthernBeachesBtq, ETSY Product ID 1337103484**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

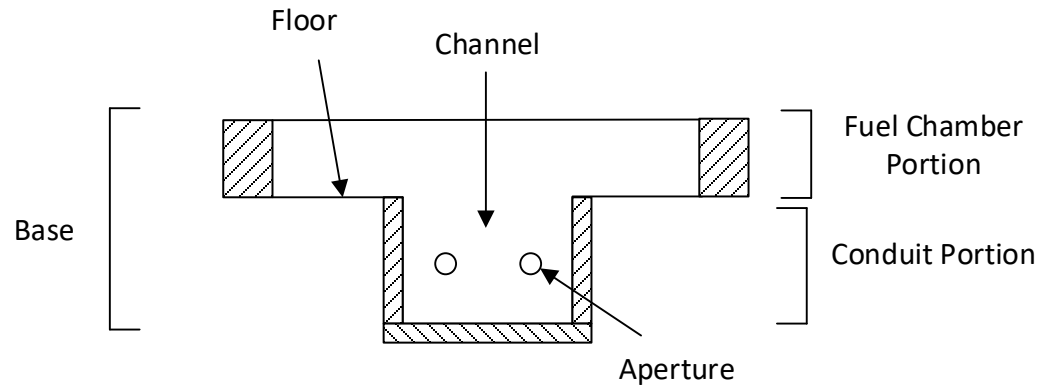
- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.



**Claim 1**

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1337103484 is a “Personalized cocktail . . .” which is a device for imparting smoked flavors to beverages and foodstuffs.

Categories Search for anything Sign in Gift Mode Back-to-School Savings Home Favorites Fashion Finds Registry Gift Cards

[Homepage](#) > [Weddings](#) > [Gifts & Mementos](#) > [Groomsmen Gifts](#) > [Drink & Barware](#)

### \$35.00+

Personalized cocktail, gift for him, gift for the groom, groomsmen gift, for him, cocktail. Whiskey lovers, whiskey, gift for Valentine's

SouthernBeachesBtq ★★★★★

✓ Arrives soon! Get it by Jul 8-16 if you order today

cocktail smoker kit\*

Select an option ▼

design\*

Select an option ▼

Add your personalization\*

please type exact what you would like on the smoker and font ...or type check messages if you have sent a message with a custom order request

256

Add to cart

Report this item to Etsy

Sort by: Suggested ▼

Recommend this item

Item quality 5 ★

Shipping 5 ★

Other reviews from this shop | ★★★★★ (38)

★★★★★

The item came packaged very nicely, shipping was fast and the maker emailed me personally when it shipped. It came looking just as the photo. The engraving is...

Purchased item: Personalized cocktail, gift for him, gift for the groom, g...

Rebecca Rivo Feb 1, 2024



Item details

Handmade

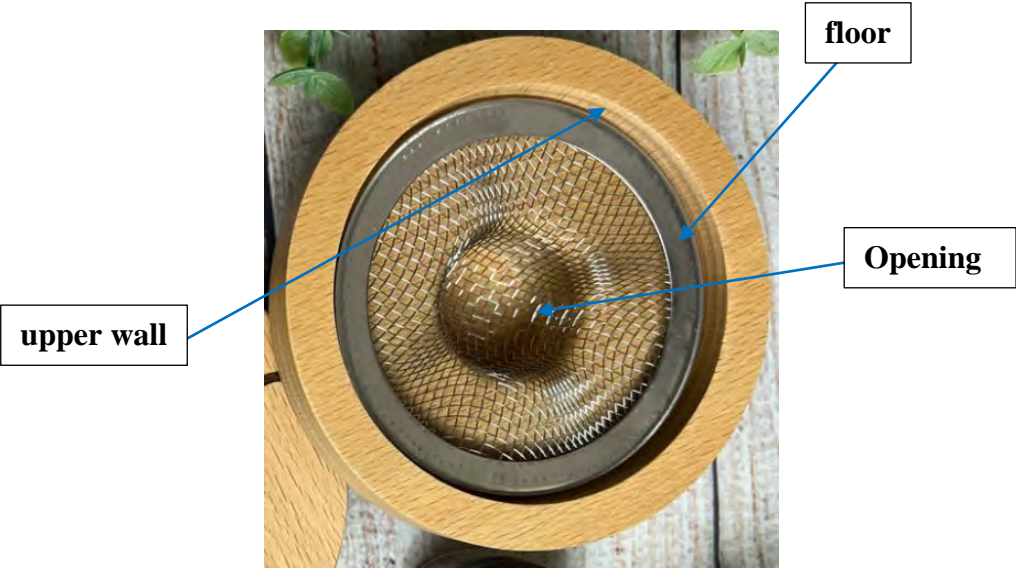
This personalized cocktail is the perfect gift to wow that special someone. This smoker comes with 4 different sample wood chips and can be engraved for that personal touch!

Learn more about this item


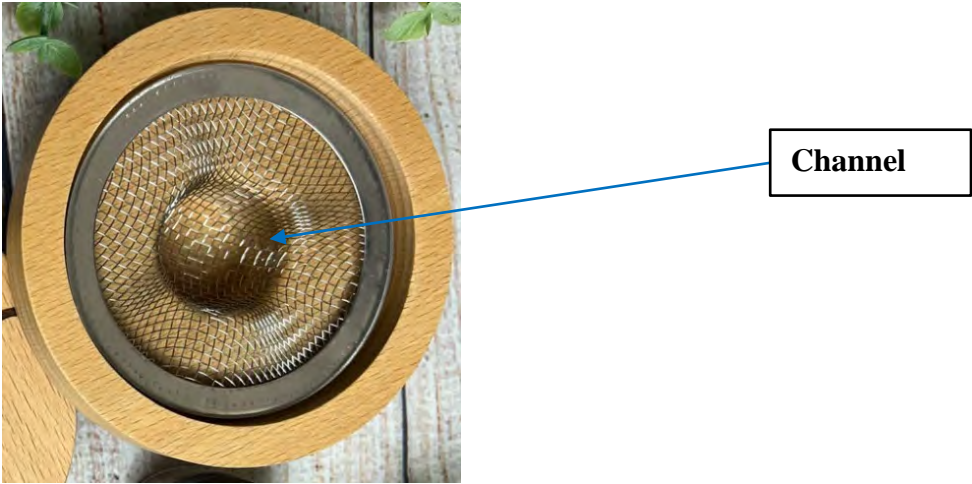


<p>a base having a fuel chamber portion at its upper end and</p>	<p>The “Cocktail Smoker” is a “base” unit that has a fuel chamber at the upper end that can hold wood chips:</p> <div data-bbox="384 264 1864 743"><div data-bbox="384 302 627 402"><b>fuel chamber portion</b></div><div data-bbox="1761 472 1864 532"><b>base</b></div></div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="898 889 1753 1328"><div data-bbox="1501 1003 1753 1063"><b>conduit portion</b></div></div>



<p>the fuel chamber portion comprising an upper wall portion defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p> 
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>



<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div data-bbox="436 261 1866 743">  <p><b>fuel chamber</b></p> <p><b>floor</b></p> <p><b>Conduit portion below floor of fuel chamber</b></p> </div>
<p>and comprises a channel through the conduit portion</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p> <div data-bbox="390 852 1356 1333">  <p><b>Channel</b></p> </div>

so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that extends from the channel space through a wall of the conduit portion

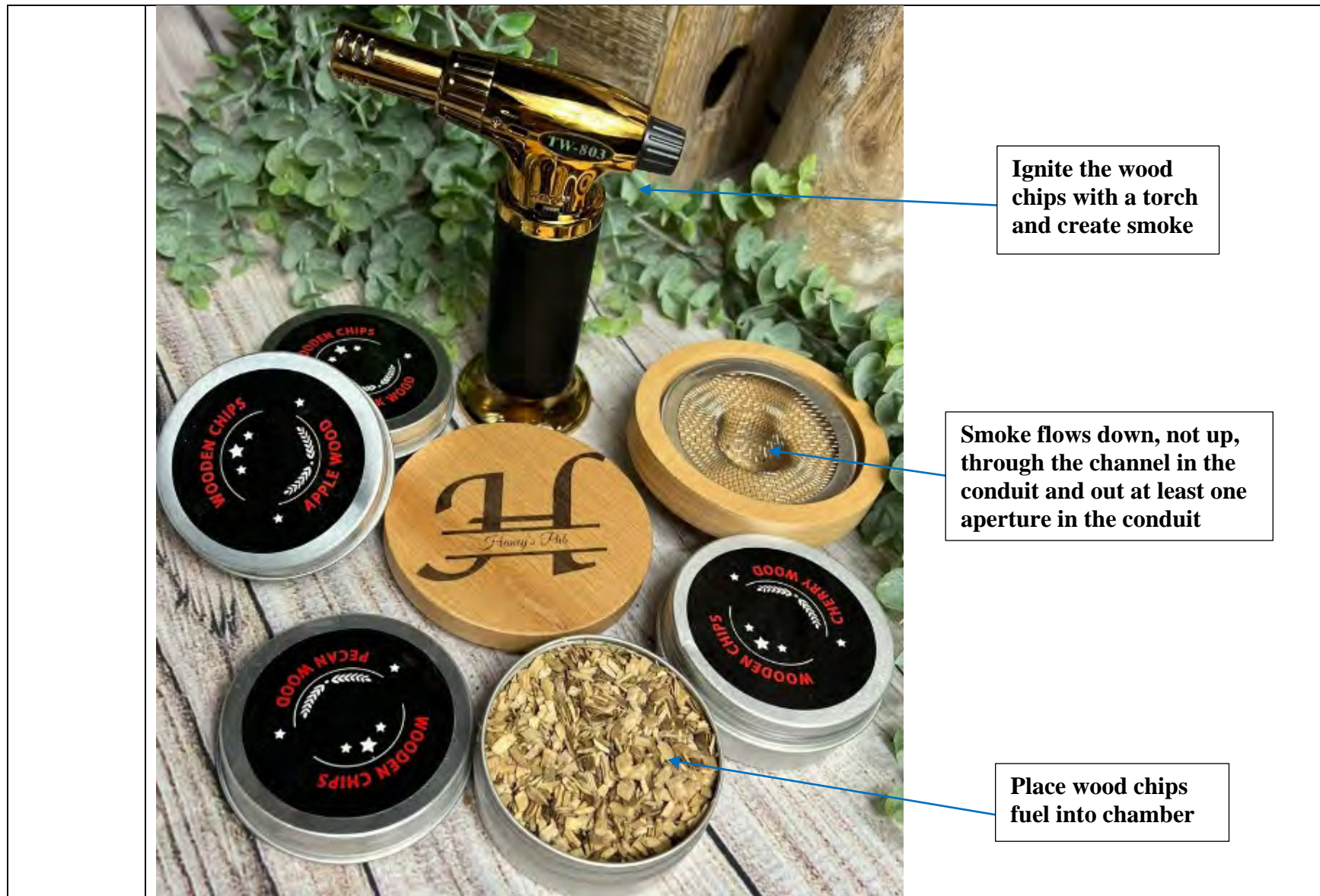
The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:



**Aperture**

The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.





**Exemplary Chart for U.S. Patent No. 11,744,256<sup>1</sup> for Defendant No. 131 BlackSheepLaserWorks, ETSY Product ID 1303490925**

The primary elements of claim 1 (copied fully below in the left column of the chart) are:

- Fuel Chamber Portion
- Conduit Portion
- Floor
- Channel
- Aperture extends from channel through a wall of Conduit Portion

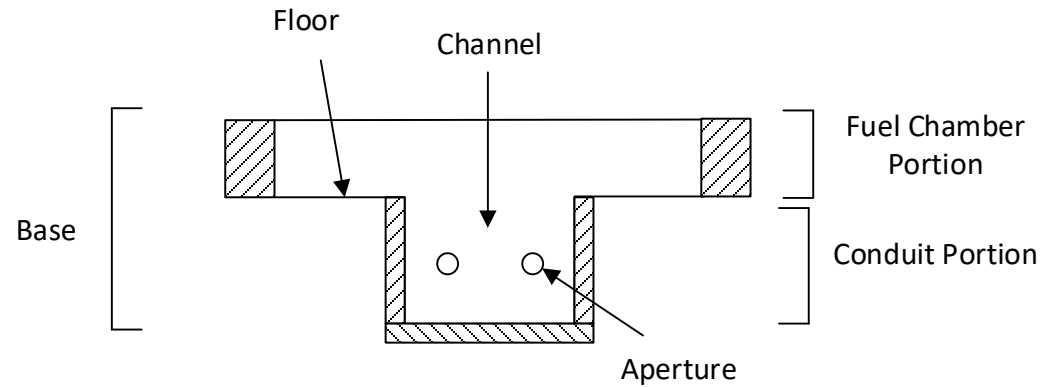
There are no limitations in the claims for the size, shape, or orientation of the fuel chamber portion, conduit portion, wall in conduit portion, or aperture through a wall of the conduit portion, except that the conduit portion is disposed below the floor.

The following diagram is an exemplary mock-up in cross-section of the type of defendant's smoker product design, with identification of the claim elements. Claims elements are also shown in the chart below using images of Defendant's product.

---

<sup>1</sup> Plaintiff provides this exemplary claim chart for the purposes of showing one basis of infringement of one of the claims of the 11,744,256 patent by Defendant's accused products as defined in the complaint. This exemplary claim chart addresses the Accused Products broadly based on the fact that the Accused Products infringe in the same general way. Plaintiff reserves the right to amend and fully provide its infringement arguments and evidence thereof until its Preliminary and Final Infringement Contentions are later produced according to the court's scheduling order in this case.

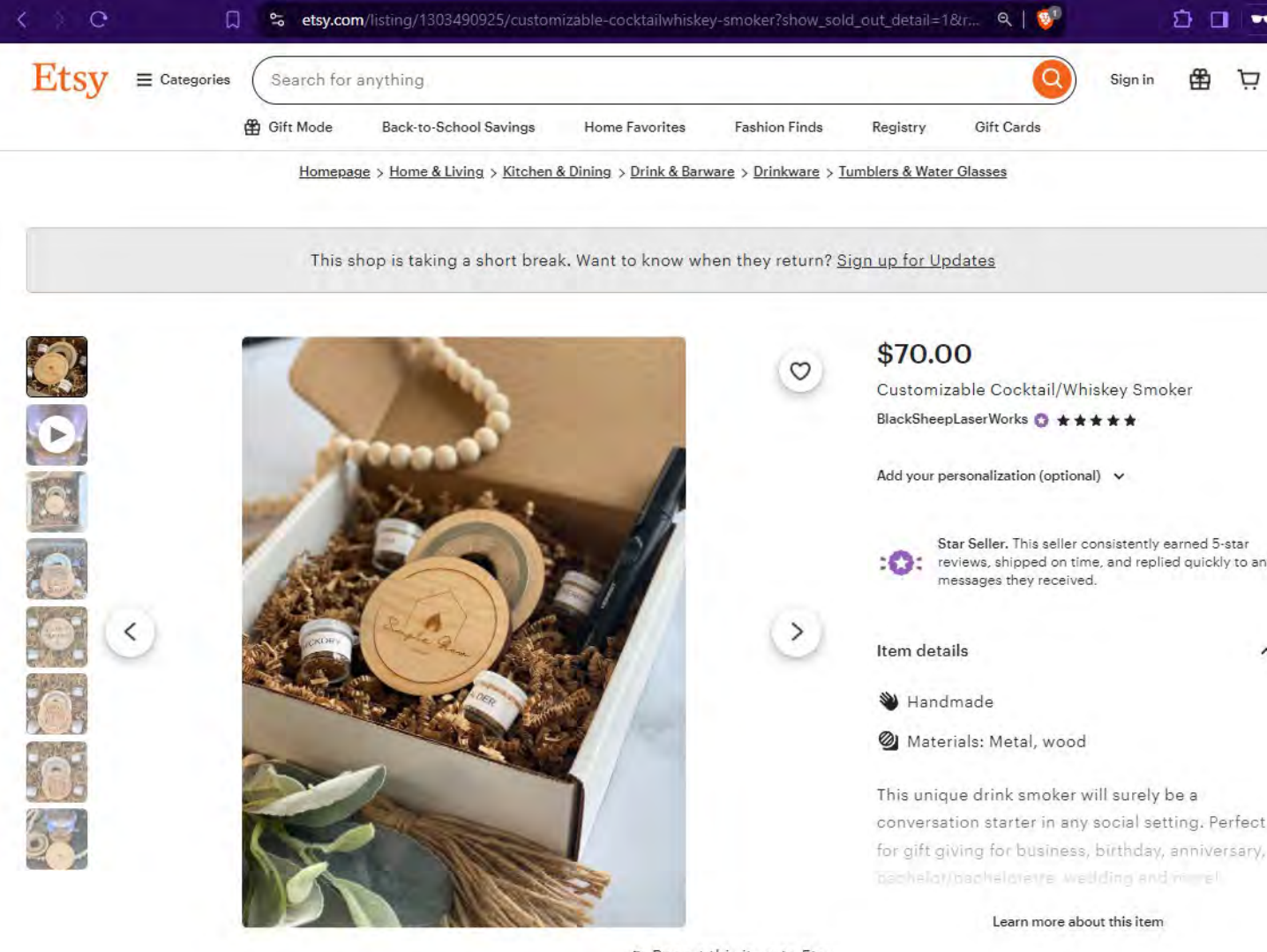




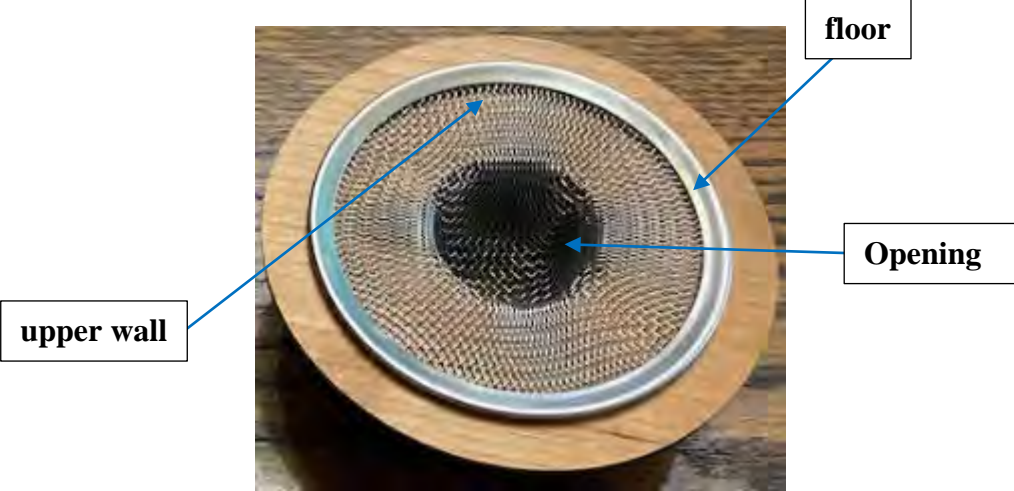
### Claim 1


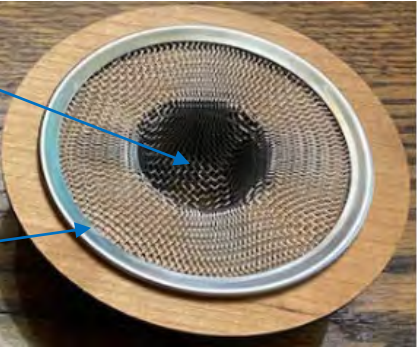

A device for imparting smoked flavors to beverages and foodstuffs, comprising:

The Etsy.com sellers page lists a product for sale under Product ID 1303490925 is a “Customizable Cocktail/Whiskey Smoker” which is a device for imparting smoked flavors to beverages and foodstuffs.

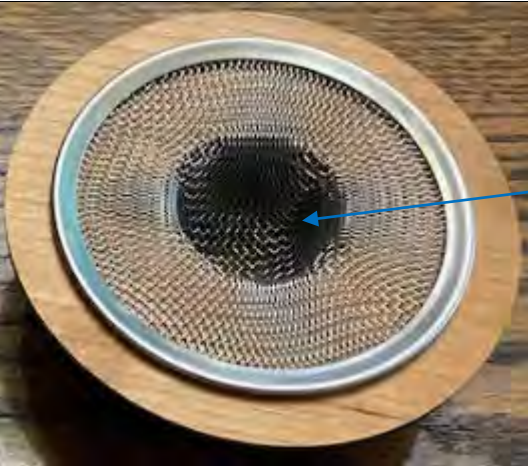

	 <p>The screenshot shows an Etsy product page for a 'Customizable Cocktail/Whiskey Smoker' by the shop BlackSheepLaserWorks. The price is listed as \$70.00. The item is described as a 'base' unit with a fuel chamber for wood chips. The seller is a 'Star Seller' with 5-star reviews. The item is handmade from metal and wood. The listing includes a video player and a gallery of images showing the product in its packaging and being used.</p>
a base having a fuel	The "Cocktail Smoker" is a "base" unit that has a fuel chamber at the upper end that can hold wood chips:

<p>chamber portion at its upper end and</p>	<div data-bbox="386 228 558 380" data-label="Text"> <p><b>fuel chamber portion</b></p> </div> <div data-bbox="613 191 1026 537" data-label="Image"> </div> <div data-bbox="1037 191 1671 537" data-label="Image"> </div> <div data-bbox="1682 207 1864 545" data-label="Text"> <p><b>base</b></p> </div>
<p>a conduit portion at its lower end,</p>	<p>The Cocktail Smoker has an element protruding at the bottom of the base that is a conduit portion.</p> <div data-bbox="756 682 1528 1107" data-label="Image"> </div> <div data-bbox="1566 857 1818 919" data-label="Text"> <p><b>conduit portion</b></p> </div>
<p>the fuel chamber portion comprising an upper wall portion</p>	<p>The fuel chamber for the Cocktail Smoker has a wall. The wall defines a perimeter of the fuel chamber portion. The fuel chamber for the Drink Smoker has a floor of the fuel chamber portion that extends from the wall to an opening in the floor.</p>

<p>defining a perimeter edge of the fuel chamber portion and a floor defining a bottom end, the floor extending from the upper wall portion to an opening in the floor</p>	 <p>The photograph shows a circular metal mesh structure, possibly a fuel chamber, resting on a wooden surface. Three labels with arrows point to specific parts of the mesh: 'upper wall' points to the outer rim, 'floor' points to the inner rim, and 'Opening' points to the central circular area.</p>
<p>wherein the fuel chamber portion is oriented to hold fuel, and</p>	<p>The fuel chamber of the Cocktail Smoker is oriented to hold wood chips for burning. In the instructions on the storefront page, the seller shows the consumer how to place the device on a glass and add wood chips in the fuel chamber for burning with a torch.</p>

	
<p>wherein the conduit portion is disposed below the floor</p>	<p>The conduit portion of the Cocktail Smoker is oriented below the floor of the fuel chamber.</p> <div style="display: flex; align-items: center; justify-content: space-around;"> <div style="text-align: center;"> <p><b>fuel chamber</b></p>  <p><b>floor</b></p> </div> <div style="text-align: center;">  <p><b>Conduit portion below floor of fuel chamber</b></p> </div> </div>
<p>and comprises a channel through the</p>	<p>The channel through the conduit of the Cocktail Smoker is shown on the seller's webstore.</p>



<p>conduit portion</p>	 <p><b>Channel</b></p>
<p>so that, when the fuel in the fuel chamber portion is ignited, the channel facilitates flow of smoke downward from the fuel chamber portion through at least one aperture that</p>	<p>The conduit portion of the Cocktail Smoker has at least one hole, or aperture, in its wall that leads to the channel:</p>  <p><b>Aperture</b></p> <p>The instructions demonstrate that when the fuel in the fuel chamber is ignited by a blow torch, the smoke from the ignited fuel flows down from the fuel chamber, through the channel, and out at least one aperture in the conduit into the drinking glass.</p>



extends  
from the  
channel  
space  
through a  
wall of the  
conduit  
portion



Place wood chips  
fuel into chamber

Ignite the wood  
chips with a torch  
and create smoke



Smoke flows down, not up,  
through the channel in the  
conduit and out at least one  
aperture in the conduit